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March 13, 2020

Erin Thompson
Management Analyst
New Mexico Gaming Control Board
4900 Alameda Boulevard NE
Albuquerque, NM 87113

VIA Email

RE: Proposed changes to NM Rule 15.4.1-15.4.14

Dear Ms. Thompson:

We have taken the opportunity to review the proposed rules as modified by the Board after public comment. We were pleased to see that the Board agreed to clarify “Hybrid games” by adding a definition of those games into the rule draft. However, we would like to see one additional change made to the definition.

In 15.4.1.7 B (1), the Board defines “Bingo” to include certain games of chance “that do not contain an instant win component but contain numbers that must be exposed by the player and the winning combination is exposed by the draw of a bingo ball *or by some other approved specific event*” (emphasis added). The bingo game described could include an event-style game so long as there are no instant winners in the game. The “other approved specific event” is typically a seal card that the manufacturer produces with the game and that is used to determine non-instant winners. The seal card contains the winning number(s) or combination(s) and takes the place of the bingo blower for winner determination.

By comparison, 15.4.1.7 H (3) defines a hybrid game. The primary difference between a hybrid game and a bingo game is that a hybrid game must contain both instant and non-instant winners. However, non-instant winners in a hybrid game may only be determined “using a bingo blower.” We would like to see the definition of “Hybrid game” modified to also permit the use of a seal card for winner determination. We think this can be best accomplished by carrying over the language from the definition of “Bingo.” Accordingly, we suggest that the definition of “Hybrid game” be modified as follows:

“Hybrid game” means a bingo event game using pull-tabs as defined in the act which have both instant and non-instant winnings. The non-instant winnings are selected by

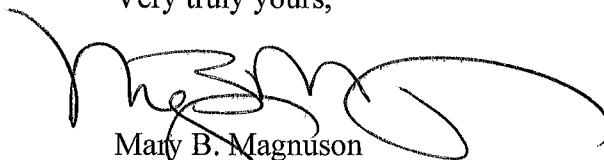
drawing using a bingo blower or by some other approved specific event. This type of game may be referred to as an “event game” or “side game.”

This slight change would give charities the option to offer event games that use a bingo ball draw or a seal card for winner determination. Of course, the Board would have to approve the seal cards prior to use and in so doing, could ensure that the seal cards match the games and all other requirements of law or rule.

Allowing the use of a seal card for hybrid game winner determination will not cause confusion at the game level nor will it cause any regulatory concerns. The distinguishing characteristic between bingo and hybrid games remains the existence (or not) of instant winners. The games are clearly marked so that if there are instant winners in the game, they are identified on the flare, the ticket, or the payout slip (or all of these). Moreover, the vast majority of charities will opt to play hybrid games over similar bingo games to avoid bumping up against the bingo prize limit of \$2500. Having the option of using a seal card or a bingo blower for winner determination in hybrid games will offer players a wider variety of games and, as a result, increase game proceeds for the charitable organizations.

Again, thank you for including a definition of hybrid game in the revised rule draft. We hope you will consider our additional suggestion and revise the definition accordingly.

Very truly yours,



Mary B. Magnuson
Executive Director & General Counsel