

**TITLE 15      GAMBLING AND LIQUOR CONTROL**  
**CHAPTER 4    BINGO AND RAFFLES**  
**PART 8        CONDUCT OF RAFFLE**

**15.4.8.1        ISSUING AGENCY:** New Mexico Gaming Control Board.  
[15.4.8.1 NMAC - Rp, 15.4.8.1 NMAC, 2/23/2021]

**15.4.8.2        SCOPE:** This rule applies to all persons subject to regulations promulgated under the New Mexico Bingo and Raffle Act by the New Mexico gaming control board.  
[15.4.8.2 NMAC - Rp, 15.4.8.2 NMAC, 2/23/2021]

**15.4.8.3        STATUTORY AUTHORITY:** Authority for this rule derives from the New Mexico Bingo and Raffle Act Section 60-2F-3 NMSA 1978. Subsection H of 60-2F-6 NMSA 1978 authorizes the board to adopt rules to implement the New Mexico Bingo and Raffle Act and to ensure that games of chance conducted in New Mexico are conducted with fairness and that the participants and patrons are protected against illegal practices on any premises.  
[15.4.8.3 NMAC - Rp, 15.4.8.3 NMAC, 2/23/2021]

**15.4.8.4        DURATION:** Permanent.  
[15.4.8.4 NMAC - Rp, 15.4.8.4 NMAC, 2/23/2021]

**15.4.8.5        EFFECTIVE DATE:** February 23, 2021, unless a later date is cited at the end of a section.  
[15.4.8.5 NMAC - Rp, 15.4.8.5 NMAC, 2/23/2021]

**15.4.8.6        OBJECTIVE:** This rule establishes standards for the conduct of raffle authorized by the New Mexico Bingo and Raffle Act.  
[15.4.8.6 NMAC - Rp, 15.4.8.6 NMAC, 2/23/2021]

**15.4.8.7        DEFINITIONS:** See 15.4.1.7 NMAC for applicable definitions.  
[15.4.8.7 NMAC - Rp, 15.4.8.7 NMAC, 2/23/2021]

**15.4.8.8        RAFFLE CONTROLS:**

- A.** A licensee shall maintain a valid copy of a raffle ticket for each raffle conducted.
- B.** All proceeds including donations and gifts shall be reported as gross receipts under the act.
- C.** Each raffle ticket and all promotional material concerning the raffle, shall conspicuously state whether or not the ticket holder is required to be present at the raffle drawing in order to win prizes.
- D.** Raffle tickets shall not be discounted and must be sold for the same price.

[15.4.8.8 NMAC - Rp, 15.4.8.8 NMAC, 2/23/2021]

**15.4.8.9        RAFFLE OPERATIONS:**

- A.** All raffle tickets sold shall have a representation (stub) in the container prior to the start of the draw. No unsold raffle tickets shall have a representation (stub) in the container.
- B.** The drawing shall be open to all ticket holders.
- C.** The rules of the drawing shall be conspicuously posted in the immediate area of the device from which the draw occurs and will identify what a winning draw is.
- D.** When more than one prize is to be awarded the prize shall be announced immediately preceding the drawing of each winning ticket.
- E.** Prize substitutions are not allowed.

[15.4.8.9 NMAC - Rp, 15.4.8.9 NMAC, 2/23/2021]

**15.4.8.10       SPLIT RAFFLE:**

- A.** If a split is other than fifty-fifty, the winner's share shall be the first value of the expression.
- B.** All tickets sales and the drawing of the winner(s) shall occur at the same location on the same day.
- C.** There shall be a period of sufficient duration between the last ticket sold and the drawing so that the number of tickets sold and the prize(s) can be determined and announced.

**D.** The number of chances sold and the prize(s) shall be announced prior to the drawing of the winner(s).  
[15.4.8.10 NMAC - Rp, 15.4.8.10 NMAC, 2/23/2021]

**15.4.8.11 \$75,000 OR MORE RAFFLES:** Licensee shall meet all the conditions described in 15.4.8.9 NMAC and the following requirements:

- A.** shall notify the board on a form prescribed by the board 10 days prior to any public notice; and
  - B.** shall report to board on a form prescribed by the board within three days of drawing the winner(s) name, address and phone number.
- [15.4.8.11 NMAC - Rp, 15.4.8.11 NMAC, 2/23/2021]

**15.4.8.12 PAYMENT OF WINNINGS:**

- A.** Prizes shall be tendered in accordance with the specifications on the raffle ticket.
  - B.** In the event that the winner does not accept a prize and:
    - (1)** is present at the drawing a second drawing shall be made; or
    - (2)** is not required to be and is not present at the drawing:
      - (a)** the licensee shall obtain a written and signed letter declining the prize;
      - (b)** the licensee shall notify the board; and
      - (c)** the licensee may dispose of the prize in a manner they deem appropriate.
  - C.** The organization shall not discard any of the sold tickets until all prizes have been accepted.
- [15.4.8.12 NMAC - Rp, 15.4.8.12 NMAC, 2/23/2021]

**15.4.8.13 RAFFLE RECORDS TO BE KEPT:** The following records shall be maintained:

- A.** the number of tickets available at the beginning of the event, if limited;
- B.** the number of tickets sold;
- C.** the date ticket sales began and ended;
- D.** the date and time the drawing was conducted;
- E.** the winner(s) contact information; and
- F.** any required IRS reporting documents.

[15.4.8.13 NMAC - Rp, 15.4.8.13 NMAC, 2/23/2021]

**HISTORY OF 15.4.8 NMAC:**

**Pre-NMAC History:** The material in this part was derived from that previously filed with the state records center and archives by department of alcohol and beverage control under:  
Regulation No. 2B-8 Raffles, Relating to Section 60-2B-8 NMSA 1978, filed 3/21/1984.

**History of Repealed Material:**

15.4.8 NMAC, Raffle Tickets, filed 9/16/2005 - Repealed, effective 4/15/2013.  
15.4.8 NMAC, Raffle Tickets, filed 3/27/2013 - Repealed, effective 2/23/2021.

**Other:**

15.4.8 NMAC, Raffle Tickets, filed 9/16/2005, Replaced by 15.4.8 NMAC, Raffle Tickets, effective 4/15/2013.  
15.4.8 NMAC, Raffle Tickets, filed 3/27/2013, Replaced by 15.4.8 NMAC, Raffle Tickets, effective 2/23/2021.