

## 465 – Gaming Control Board Plan

This file plan was developed to be a guide for Gaming Control Board employees. This guidance document was created to ensure consistent records classification and to provide agencies with other relevant record information. The final disposition authority resides in the Functional Records Retention and Disposition Schedule (FRRDS), 1.21.2 NMAC.

This file plan only list records series of program's specific to the Gaming Control Board. For records series of a general administrative nature, refer to the General Administrative Records File Plan. For records of a financial nature, refer to the General Financial Records File Plan. For records of a personnel or medical nature, refer to the General Personnel/Medical Records File Plan.

### 465-001 GCB LICENSING SYSTEM:

**Division/unit:** Licensing services

**Maintenance system:** Numerical by primary key

**Record series content:** System used by GCB to track and maintain information on: licensed gambling establishments (racetracks, non-profit organizations and slot machine distributors and manufacturers); approved gaming work permits (gaming establishments' personnel) and certified key and affiliated persons involved in the management and administration of gaming establishments including major shareholders as defined in the Gaming Control Act, Sections 60-2E-1 through 60-2E-61 NMSA 1978. System also tracks and maintains information on licenses, permits, and certifications denied, expired or revoked. System data reflects corresponding application information including: applicant's name, address, past 10 years of residency, date of birth, social security number, military information, marital and family information, criminal history, employment history, character references, financial history, statements of assets and liabilities; applicant control number; entity control number; etc.

**Classification:**

- (A) **Gaming license data:**
  - (1) **License issued:** 1.21.2.661 NMAC, Facilities, Establishments and Products
  - (2) **No license issued:** 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records
- (B) **Gaming work permit data:**
  - (1) **Work permit issued:** 1.21.2.667 NMAC, Professional Licenses
  - (2) **No work permit issued:** 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records
- (C) **Key and affiliated person certification data:**
  - (1) **Approved:** 1.21.2.652 NMAC, Business Licenses
  - (2) **Denied:** 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records

Records

**File closure:**

- (A) **Gaming license data:**
  - (1) **License issued:** Date license expired or revoked
  - (2) **No license issued:** Close of calendar year in which license denied or date of last correspondence with applicant whichever is longer
- (B) **Gaming work permit data:**
  - (1) **Work permit issued:** Date work permit expired or revoked
  - (2) **No work permit issued:** Close of calendar year in which work permit denied or date of last correspondence with applicant whichever is longer
- (C) **Key and affiliated person certification data:**
  - (1) **Approved:** Date of expiration, termination, or cancellation (by employer) of certification
  - (2) **Denied:** Close of calendar year in which certification denied or date of last correspondence with applicant whichever is longer

**Confidentiality:** Portions of record may be confidential per Section 60-2E-41 NMSA 1978 (i.e., “any communication or document of an applicant or licensee is confidential”).

[New - 03/31/2021]

**465-002 GAMING LICENSE FILES:**

**Division/unit:** Licensing services

**Maintenance system:** Numerical by entity number

**Record series content:** Records concerning the application by businesses and approval by the gaming board to operate a gambling establishment as defined in the Gaming Control Act, Sections 60-2E-1 through 60-2E-61 NMSA 1978. Gaming establishments (businesses) include racetracks, non-profit organizations, and slot machine distributors and manufacturers. File may include original *business gaming application* [GCB A-4.0] (including renewal applications), *nonprofit gaming operator application* [GCB A-3.1] (including renewal applications) and copies of the following: gaming related licenses; business organizational charts; trade name registration; articles of incorporation; articles of organization; bylaws, partnership agreement; trust agreement; affirmation and consent form; applicant’s request to release information form; tax information authorization for disclosure - IRS-TRD forms; litigation involvement information; security plan; business plan; compulsive gambling assistance plan; correspondence; etc.

**Classification:**

(A) **License issued:** 1.21.2.661 NMAC, Facilities, Establishments and Products

(B) **No license issued:** 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records

**File closure:**

(A) **License issued:** Date license expired or revoked

(B) **No license issued:** Close of calendar year in which license denied or date of last correspondence with applicant whichever is longer

**Confidentiality:** Portions of record may be confidential per Section 60-2E-41 NMSA 1978 (i.e., “any communication or document of an applicant or licensee is confidential”).

[New - 03/31/2021]

**465-003 GAMING WORK PERMIT FILE:**

**Division/unit:** Licensing services

**Maintenance system:** Alphabetical by applicant name

**Record series content:** Records concerning the application for a gaming work permit, which includes the background investigation that allows employment at designated gaming establishment. File may include original New Mexico *gaming work permit application* [GCB A2.3 ]; *gaming work permit application renewal* [GCB RA 5.10]; photograph of applicant; fingerprint card; photocopy of official identification card (driver’s license or state-issued identification card); investigation authorization and authorization to release information; applicant’s request to release information; tax information authorization for disclosure for IRS; tax information authorization for disclosure for TRD; letter from GCB executive director signed by applicant to acknowledge receipt; copy of work permit badge issued; correspondence; etc.

**Classification:**

(A) **Work permit issued:** 1.21.2.667 NMAC, Professional Licenses

(B) **No work permit issued:** 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records

**File closure:**

(A) **Work permit issued:** Date work permit expired, revoked or withdrawn calendar year.]

(B) **No work permit issued:** Close of calendar year in which work permit denied or date of last correspondence with applicant whichever is longer

**Confidentiality:** Portions of record may be confidential per Section 60-2E-41 NMSA 1978 (i.e., “any communication or document of an applicant or licensee is confidential”).

[New - 03/31/2021]

**465-004 KEY AND AFFILIATED PERSON CERTIFICATION FILE:**

**Division/unit:** Licensing services

**Maintenance system:** Alphabetical by applicant name

**Record series content:** Records concerning the application for key and affiliated person certification of persons involved in the management and administration of GCB licensed gaming establishments including major shareholders and its approval (certification) by the GCB as defined in the Gaming Control Act, Sections 60-2E-1 through 60-2E-61 NMSA 1978. File may include *New Mexico nonprofit key and affiliated person application* [GCB A-1.4]; *New Mexico nonprofit key and affiliated person renewal application* [GCB RK-1.0]; photograph of applicant; affirmation and consent form; investigation authorization and authorization to release information; fingerprint card; tax information authorization for disclosure for IRS; tax information authorization for disclosure for TRD; copies of federal and state income tax returns for the past three years; proof of identity and date of birth (by providing one of the following documents - certified birth certificate from the vital statistics office where applicant was born, valid United States passport, valid passport issued by country of citizenship (if not US citizen), certificate of naturalization with photo (along with alien registration number); correspondence; etc.

**Classification:**

(A) **Approved:** 1.21.2.652 NMAC, Business Licenses

(B) **Denied:** 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records

**File closure:**

(A) **Approved:** Date of expiration, termination, cancellation (by employer) or withdrawn (by individual) of certification

(B) **Denied:** Close of calendar year in which certification denied or date of last correspondence with applicant whichever is longer

**Confidentiality:** Portions of record may be confidential per Section 60-2E-41 NMSA 1978 (i.e., “any communication or document of an applicant or licensee is confidential”).

[New - 03/31/2021]

**465-005 to 465-010**

**465-011 COMPLIANCE MASTER FILES:**

**Division/unit:** Audit and compliance

**Maintenance system:** Alphanumerical by establishment name and number

**Record series content:** Records concerning the examination and verification by the gaming control board of an establishment’s financial and accounting records and supporting documentation. File may contain copy of correspondence letter sent to establishment, financial statements, copy of GCB audit report, copy of citations, copies of decisions and orders by GCB, correspondence, etc.

**Classification:** 1.21.2.415 NMAC, General - Audits and Compliance

**File closure:** Close of fiscal year in which created

**Confidentiality:** Portions of record may be confidential per Section 60-2E-41 NMSA 1978 (i.e., “any communication or document of an applicant or licensee is confidential”).

[New - 03/31/2021]

**465-012 to 465-020**

**465-021 PREMISE INSPECTION REPORTS:**

**Division/unit:** Law enforcement

**Maintenance system:** Numerical by form number

**Record series content:** Records concerning the inspection of gaming facilities. Report may show licensee name, address; license number; license type; checklist of violations; agent’s name, signature and date; licensee representative’s name, signature and date; comments; etc.

**Classification:** 1.21.2.474 NMAC, General - Inspection

**File closure:** Date of inspection

[New - 03/31/2021]

**465-022 INVESTIGATIVE CASE FILES:**

**Division/unit:** Law enforcement

**Maintenance system:** Numerical by investigative case number

**Record series content:** Records concerning documents gathered during a criminal investigation for the purpose of preparing for criminal prosecution. File may contain complaints, referrals, evidence, photographs, copies of search warrants, copies of arrest warrants, court orders, correspondence, etc.

**Classification:** 1.21.2.634 NMAC, Investigations - Legal Matter Management

**File closure:** Date case closed

**Confidentiality:** Portions may be confidential pursuant to: Subsection A of Section 14-2-1 NMSA 1978. (attorney-client privileged information; physical or mental examinations of persons confined to any institution; letters of reference concerning employment; matters of opinion in personnel files; tactical response plans); Section 31-21-6 NMSA 1978 (probation and parole information); Section 24-1-20 NMSA 1978 (medical treatment records); Section 29-10-4 NMSA 1978 (arrest record information concerning those not charged with a crime); Section 32A-3B-32 NMSA 1978 (juvenile records); Section 41-8-4 NMSA 1978 (arson reports); Section 43-2-11 NMSA 1978 (substance abuse treatment).

[New - 03/31/2021]

**465-023 to 465-030**

**465-031 TRIBAL FILES:**

**Division/unit:** State gaming representative

**Maintenance system:** Chronological by fiscal year, then alphabetical by tribal name

**Record series content:** Records concerning actions taken by the state under the Indian gaming compacts. Files may contain copies of compacts, memorandums of understanding, copies of revenue sharing payment agreements, resolutions, investigative reports, financial statements, copies of certificates of insurance, tribal compliance reviews, tribal regulations and ordinances, correspondence, etc.

**Classification:** 1.21.2.415 NMAC, General - Audits and Compliance

**File closure:** Close of fiscal year in which created

[New - 03/31/2021]

**465-032 to 465-040**

**465-041 ADVANCED ENTERTAINMENT GAMING INFORMATION SYSTEM:**

**Division/unit:** Information systems

**Maintenance system:** Numerical by primary key

**Record series content:** System used by GCB to monitor all electronic game playing and gaming revenue on all machines in licensed gambling establishments. System provides the ability to disable from play all electronic gaming machines and produce electronic reports on game play and machine revenue. Data may include hours of operation, game type and machine security events, game play and revenue, etc.

**Classification:**

(A) **Revenue data:** 1.21.2.303 NMAC, Accounts Receivable

(B) **All other data:** 1.21.2.156 NMAC, Access and Control

**File closure:** Close of fiscal year in which created

[New - 03/31/2021]

**465-042 APPLICATION TO TRANSPORT GAMING MEDIA FILES:**

**Division/unit:** Information systems

**Maintenance system:** Chronological by date

**Record series content:** Records concerning the verification and approval of applications to transport gaming software media between vendors and gaming operators. File may include *application to transport gaming media* (i.e., licensee number, address, contact person, date shipped, date received, etc.), gaming media spreadsheet (i.e., manufacture, model number, quantity, etc.), etc.

**Classification:** 1.21.2.506 NMAC, Short-Term Permits

**File closure:** Date transaction verified

[New - 03/31/2021]

#### **465-043 to 465-050**

##### **465-051 BINGO, RAFFLE AND PULL TAB LICENSURE FILES:**

**Division/unit:** Game of chance licensing

**Maintenance system:** Chronological by year, then alphabetical by organization name

**Record series content:** Records documenting the issuance of a license to organizations for the purposes of conducting games of chance. Files may include *New Mexico bingo, raffle and pull tab application*, copy of letter from IRS establishing an employment identification number, copy of articles of organization and amendments, copy of organization's bylaws, copy of house rules, detailed description of the game menu and payout, copy of charitable solicitation registration, certificate of corporate good standing, copy of floor plan of the building of authorized gaming activity, copy of bank signature, copy of equipment rental agreement, copy of security service agreement, administrative complaints, background check results, etc.

**Classification:** 1.21.2.661 NMAC, Facilities, Establishments and Products

**File closure:** Date of licensure expiration or revocation

**Confidentiality:** Portions of file may be confidential pursuant, but not limited to Section 60-2E-41 NMSA 1978 (i.e., "any communication or document of an applicant or licensee is confidential").

[New - 03/31/2021]

##### **465-052 MANUFACTURER AND DISTRIBUTOR LICENSURE FILES:**

**Division/unit:** Game of chance licensing

**Maintenance system:** Chronological by year, then alphabetical by organization name

**Record series content:** Records documenting the issuance of a license to organizations for the purposes of manufacturing and distributing games of chance. Files may include *bingo distribution and manufacturer application*, description of type of bingo supplies to be manufactured or distributed for use in the state, complete client list, background check results, correspondence, etc.

**Classification:** 1.21.2.661 NMAC, Facilities, Establishments and Products

**File closure:** Date of licensure expiration or revocation

**Confidentiality:** Portions of file may be confidential pursuant, but not limited to Section 60-2E-41 NMSA 1978 (i.e., "any communication or document of an applicant or licensee is confidential").

[New - 03/31/2021]

##### **465-053 BINGO STAFF PERMIT FILES:**

**Division/unit:** Game of chance licensing

**Maintenance system:** Chronological by year, then alphabetical by permit holder surname

**Record series content:** Records documenting the issuance of a permit to individuals approved by the board as a bingo manager, alternate bingo manager or bingo caller of a licensed organization. Files may include *bingo staff permit application, request to release information*, background check results, *self-disclosure form*, correspondence, etc.

**Classification:** 1.21.2.667 NMAC, Professional Licenses

**File closure:** Date of permit expiration or revocation

**Confidentiality:** Portions of file may be confidential pursuant, but not limited to Section 60-2E-41 NMSA 1978 (i.e., “any communication or document of an applicant or licensee is confidential”).  
[New - 03/31/2021]

**465-054 BINGO, RAFFLE AND PULL TAB QUARTERLY REPORT FILES:**

**Division/unit:** Game of chance licensing

**Maintenance system:** Chronological by date, then alphabetical by licensee name

**Record series content:** Quarterly reports from game of chance organizations of all revenues, expenditures and prizes paid out from bingos, raffles and pull tabs. Files may include statement covering the preceding calendar quarter showing the amount of the gross receipts derived during that period from games of chance, the total amount of prizes paid, the name and address of each person to whom has been paid six hundred dollars or more and the purpose of the expenditure, the gross receipts derived from each game of chance and the uses to which the net proceeds have been or are to be applied, copies of checks, copies of bank statements, copy of New Mexico taxation and revenue report and payment, correspondence, etc.

**Classification:** 1.21.2.415 NMAC, General - Audits and Compliance

**File closure:** Close of the calendar year in which report created

[New - 03/31/2021]