

TITLE 15 GAMBLING AND LIQUOR CONTROL
CHAPTER 6 BOXING, WRESTLING AND MARTIAL ARTS
PART 3 TICKETS FOR CONTESTS AND EXHIBITIONS

15.6.3.1 ISSUING AGENCY: New Mexico Athletic Commission.
[15.6.3.1 NMAC - N, 03-23-2002]

15.6.3.2 SCOPE: The provisions in Part 3 apply to anyone printing, selling, or purchasing tickets for an event regulated by the commission.
[15.6.3.2 NMAC - N, 03-23-2002]

15.6.3.3 STATUTORY AUTHORITY: Part 3 of Chapter 6 of Title 15 is promulgated pursuant to the Professional Athletic Competition Act, Sections 60-2A-1 through 60-2A-30, NMSA 1978 (1980 Repl. Pamp.); specifically Sections 60-2A-4, 60-2A-8, 60-2A-15, 60-2A-23, 60-2A-25, 60-2A-26, 60-2A-27, 60-2A-28, and 60-2A-29.
[15.6.3.3 NMAC - N, 03-23-2002]

15.6.3.4 DURATION: Permanent.
[15.6.3.4 NMAC - N, 03-23-2002]

15.6.3.5 EFFECTIVE DATE: March 23, 2002, unless a later date is cited at the end of a section.
[15.6.3.5 NMAC - N, 03-23-2002]

15.6.3.6 OBJECTIVE: The objective of Part 3 of Chapter 6 is to set forth protocols for printing, commission approval, sales, disbursement, and purchase of tickets for events regulated by the commission.
[15.6.3.6 NMAC - N, 03-23-2002]

15.6.3.7 DEFINITIONS: “**Face value**” means the dollar value of a ticket that the customer is required to pay or, for complimentary tickets, would have required payment. It shall include any charges or fees, such as dinner, gratuity, parking, surcharges or any other charges or fees that must be incurred in order to be allowed to view the match. However, if the ticket specifies the amount of admission charges attributable to state or federal taxes, such taxes shall not be included in the face value.
[15.6.3.7 NMAC - N, 03-23-2002]

15.6.3.8 [RESERVED]
[15.6.3.8 NMAC - N, 03-23-2002; A, 08-26-2012, Repealed, 01-15-2017]

15.6.3.9 [RESERVED]
[15.6.3.9 NMAC - N, 03-23-2002; Repealed, 01-15-2017]

15.6.3.10 [RESERVED]

15.6.3.11 PROHIBITIONS IN THE DISTRIBUTION AND SALE OF TICKETS:

A. Promoters and corporations licensed by the commission must be vigilant in preventing ticket speculation.

B. Promoters and corporations licensed by the commission are prohibited from the following:

- (1)** Selling any tickets for any price other than the price printed on the face of the ticket, without the consent of the commission or representative in charge.
- (2)** Changing the price of the tickets at any time after the tickets for the contest or exhibition have been placed on sale without the consent of the commission or commission representative in charge.
- (3)** Selling any tickets at any time during the contest or exhibition for a price less than tickets for similar seats were sold or offered before the exhibition or contest began, without the consent of the commission or commission representative in charge.
- (4)** Selling standing room or roll tickets for any contest or exhibition without the consent of the commission or commission representative in charge and of the appropriate local or municipal safety departments.

[15.6.3.11 NMAC - N, 03-23-2002]

15.6.3.12 SALE OF TICKETS AND TICKET EXCHANGES:

- A. No licensee may sell any ticket for more than the price printed on the face of the ticket.
- B. No other person may sell any ticket of which he is in possession for more than fifty cents over the price printed on the face of the ticket.
- C. Ticket exchanges may only be made at the licensed promoter or corporations' box office.
- D. Once the main event has started, no additional tickets may be sold.

[15.6.3.12 NMAC - N, 03-23-2002]

15.6.3.13 [RESERVED]

15.6.3.14 CONDITIONS TO BE MET BEFORE TICKETS ARE SOLD OR PROMOTIONAL ACTIVITIES COMMENCE: The sale of tickets or promotional activities for any proposed contest or exhibition is prohibited until the commission through its director, receives and approves a completed event permit from and approves plans and statements showing the seating arrangements and the ticket prices established for each seating area.

[15.6.3.14 NMAC - N, 03-23-2002; A, 08-26-2012; A, 01-15-2017]

15.6.3.15 OTHER CONDITIONS FOR SELLING TICKETS:

- A. **Reserved seats identified:** Promoters and promoter corporations licensed by the commission must have available in their main office, a chart that plainly indicates the location of all reserved seats.
- B. **Duties of box office employees:** Box office employees of each promoter or promoter corporation licensed by the commission shall assist in the sale of tickets, and cooperate with the commission's representative in the tabulating of receipts, as well as, counting sold and unsold tickets directly after the main unarmed combat contest contenders enter the ring.
- C. **Ticket sale supervision by treasurer:** The treasurer of each promoter or promoter corporation licensed by the commission shall, in addition to other duties that may be prescribed to him, supervise the sale of tickets to the general public and prepare the necessary and proper tax returns as required by law.
- D. **Signed gate receipts report required:** Failure of the licensee's treasurer to sign the gate receipts report shall result in the suspension of the promoter's permit to stage the next scheduled event, contest or exhibition.

[15.6.3.15 NMAC - N, 03-23-2002; A, 08-26-2012]

15.6.3.16 [RESERVED]

15.6.3.17 REPORTS REQUIRED BY THE COMMISSION: Within 72 hours after the close of the event, contest, or exhibition, the authorized representative of the promoter licensed by the commission must submit to the commission the following written reports.

- A. An "**athletic tax report**" showing the number of each class of tickets sold, unsold or unused; and shall:
 - (1) permit the commission or its designated representative to examine the following: all sold and unsold or unused tickets; stubs; coupons; the financial records of the event;
 - (2) permit the commission or its designated representative to investigate all other matters relating to the receipts and conduct of the box office and ticket takers; and
 - (3) permit the commission or its designated representative to review the ticket tally, which must conform to the manifest.
- B. An "**inspectors' financial statement**" for the particular contest or exhibition that must be approved and signed by the following persons:
 - (1) the commissioner in attendance or by the commission's designated representative in charge;
 - (2) the commission inspectors making the count; and
 - (3) the authorized representative of the licensed promoter of the event.
- C. An "**after contest report**" that shall be submitted within seventy-two hours after the close of the contest, on forms as required by the commission. Information shall include a breakdown of all tickets sold or distributed, including but not limited to tickets sold, exchanged for goods or services, donated or complimentary. The payments made to the competitors and officials, and the manner and form in which they were compensated.

[15.6.3.17 NMAC - N, 03-23-2002; A, 08-26-2012; A, 01-15-2017]

15.6.3.18 [RESERVED]

15.6.3.19 PERSONS EXCUSED FROM HOLDING TICKETS: Only the following persons are excused from holding tickets for an event, contest, exhibition, or match. For these designated exceptions, appropriate admission tickets may be issued in such number and in such form as approved by the commission.

- A.** Members of the commission.
- B.** Persons designated by the commission for an official duty.
- C.** The officials required to attend under provisions of state laws or the commission's rules and regulations (15.6 NMAC).
- D.** The principals, managers and seconds who are involved in the contests or exhibitions.
- E.** The policemen, firemen and other public officials, actually on duty, shall be admitted to any contest or exhibition.

[15.6.3.19 NMAC - N, 03-23-2002; A, 08-26-2012]

HISTORY of 15.6.3 NMAC:

Pre-NMAC History:

Material in the part was derived from that previously filed with the commission of public records - state records center and archives:

NMAC 80-3, Tickets for Contests and Exhibitions, filed 9-24-80.

NMAC Rule 92-5, Tickets for Contests and Exhibitions, filed 8-17-92.

NMAC 80-4, Conduct of Licensees, filed 9-24-80.

Those relevant portions of NMAC Rule 92-6, Conduct of Licensees, filed 8-17-92.

History of Repealed Material:

NMAC Rule 92-6 (aka 15 NMAC 6.4), Conduct of Licensees, filed 8-17-92; repealed effective 03-23-2002.

NMAC Rule 92-5 (aka 15 NMAC 6.3), Tickets for Contests and Exhibitions, filed 8-17-92, repealed effective 03-23-2002.

Other History:

NMAC Rule 92-6 was recompiled into the first version of the New Mexico Administrative Code as 15 NMAC 6.4 and named Conduct of Licensees.

NMAC Rule 92-5 was recompiled into the first version of the New Mexico Administrative Code as 15 NMAC 6.3 and named Tickets For Contests And Exhibitions.

15.6.3 NMAC, Tickets for Contests and Exhibitions, replaced 15 NMAC 6.3, Tickets for Contests and Exhibitions, effective 03-23-2002.