

**TITLE 15      GAMBLING AND LIQUOR CONTROL**  
**CHAPTER 6    BOXING, WRESTLING, AND MARTIAL ARTS**  
**PART 13      CLOSED CIRCUIT TELECASTS**

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

**15.6.13.2      SCOPE:** The provisions in Part 13 apply to all circuit telecasting of events regulated by the commission.  
[15.6.13.2 NMAC - N, 03-23-2002]

**15.6.13.3      STATUTORY AUTHORITY:** Part 13 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.).  
[15.6.13.3 NMAC - N, 03-23-2002]

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

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

**15.6.13.6      OBJECTIVE:** The objective of Part 13 of Chapter 6 is to set forth all commission regulations regarding closed circuit telecasts of any boxing, wrestling, martial arts events regulated by the commission.  
[15.6.13.6 NMAC - N, 03-23-2002]

**15.6.13.7      DEFINITIONS:**

**A.      “Distributor”** refers to any person who purchases, acquires, owns and holds the distribution rights for a closed circuit telecast of an event regulated by the commission to be viewed in New Mexico; and who intends to sell, sells, or in some manner extends such distribution rights in part to another person or entity.

**B.      “Broadcast”** means any audio or visual image sent by radio or television signals.

**C.      “Closed circuit telecast”** means any telecast that is not intended to be available for viewing without the payment of a fee for the privilege of viewing the telecast and includes the term “pay-per-view”. This definition includes, but is not limited to, telecasts to arenas, bars, lounges, clubs, entertainment or meeting centers and private residences.

**D.      “Podcast”** (or non-streamed webcast) is a series of digital media files, either audio or video, that are released episodically and often downloaded through web syndication.

**E.      “Webcast”** is a media file distributed over the internet using streaming media technology to distribute a single content source to many simultaneous listeners/viewers. A webcast may either be distributed live or on demand. Webcasting is “broadcast” over the internet.

**F.      “Streaming media”** is multimedia that is constantly received by, and normally presented to, an end-user while being delivered by a streaming provider. The name refers to the delivery method of the medium rather than to the medium itself. Live streaming, more specifically, means taking the video and broadcasting it live over the internet.

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

**15.6.13.8      REQUIREMENTS FOR CLOSED CIRCUIT TELECASTS:**

**A.      Licensed promoter required:** Closed circuit telecasts of unarmed combat events shall not be telecast, podcast or webcast from, or into, New Mexico except under the auspices of a licensed promoter who shall be responsible for filing the appropriate reports and tax payments with the commission as referenced herein.

**B.      Event permit required:** The promoter shall complete and submit to the commission a completed application form for an event permit disclosing the dates, locations, and cities intended for closed circuit telecast, podcast or webcast of the commission regulated event in the state of New Mexico. The promoter is prohibited from selling or negotiating the sale of rights to broadcast such closed circuit telecast to any person prior to receiving an event permit from the commission.

**C.      Tickets required.**

(1) Tickets are required for the closed circuit telecast of any event regulated by the commission.

- (2) All tickets must be printed by a printer approved by the commission.
- (3) All tickets for the event shall be delivered to the commission or the commission's representative.

The tickets shall be delivered in a sealed container along with a manifest certifying the actual number of tickets printed.

(4) The commission or the commission's representative will audit the tickets before returning them to the promoter.

(5) Tickets may only be sold after they have been audited by the commission or the commission's representative.

**D. Insurance required:** The promoter shall furnish to the commission proof of insurance to cover injury to spectators attending the closed circuit telecast event. The promoter shall also have "signal interruption" insurance available, if requested by the commission.

**E. Licensing required for all event personnel:** All box office employees, ticket takers, and doormen at any closed circuit telecast events shall be licensed by the commission; whether the events are held at arenas, bars, lounges, clubs, entertainment or meeting centers, etc.

**F. [RESERVED]**

**G. Reports required.**

(1) A written report on forms provided by the commission shall be filed by any promoter holding, showing, or telecasting any commission-regulated event via closed circuit telecast, podcast or webcast viewed within New Mexico, whether or not the broadcast, podcast or webcast originated in New Mexico.

(2) The report shall state the number of tickets or orders sold, and the amount of gross receipts from the sale of tickets or order, excluding federal and state sales taxes.

**H. International sanction rules:** The commission must approve international sanctioning body rules that vary from the commission's rules.

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

**15.6.13.9 [RESERVED]**

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

**15.6.13.10 CABLE TELEVISION SYSTEM PAY-PER-VIEW TELECASTS:**

**A. Promoter's preliminary report required:** A promoter broadcasting a closed circuit telecast utilizing a cable television system's pay-per-view facilities shall file a report with the commission within seventy-two (72) hours following the date of the telecast, and estimating the number of orders sold.

**B. Cable system operator's report required:** Each cable television system operator whose pay-per-view facilities were utilized to telecast a closed circuit program event program shall file a report with the commission within fifteen (15) calendar days following the date of the telecast, podcast or webcast and stating the number of orders sold.

**C. Promoter's final report required:** The promoter shall file a final report with the commission within thirty (30) calendar days following the date of the telecast, and stating the number of orders sold. The report will be accompanied by a fee payment of five percent (5%) of the total gross receipts from all orders sold, excluding federal and state sales taxes.

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

**15.6.13.11 NON-CABLE TELEVISION SYSTEM TELECASTS:**

**A. Promoter's report required:** A promoter holding, showing, or telecasting a closed circuit telecast utilizing facilities other than a cable television system's pay-per-view, shall file a report with the commission within seventy-two (72) hours following the date of the telecast.

**B. Report and fee payment to commission:** The report shall be accompanied by a fee payment of five percent (5%) of the total gross receipts derived from the sale of tickets, excluding federal and state sales taxes.

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

**15.6.13.12 HOTEL AND MOTEL TELECASTS:**

**A. Licensed promoter not required:** New Mexico law does not currently require a licensed promoter for closed circuit telecasts, podcast or webcast of unarmed combat event programs provided in-room by hotels or motels.

**B. Report and supervisory fees required:** Each hotel or motel facility or establishment providing in-room closed circuit telecasts of boxing, wrestling, or martial arts event programs will be responsible for filing a

report with the commission within seventy-two (72) hours after each telecast, podcast or webcast of the event. The report shall be accompanied by a payment of the appropriate supervisory fee due.  
[15.6.13.12 NMAC - N, 03-23-2002; A/E, 10-11-2005; A, 08-26-2012]

**15.6.13.13 PENALTIES FOR FAILURE TO REPORT OR PAY TAXES:**

**A. Promoter:** The commission shall levy a fine on any promoter who fails to file either or both the report and tax payment within the prescribed time frame for any closed circuit telecast of a commission-regulated event in the state of New Mexico.

(1) The commission shall waive the fine if it determines that the promoter was not at fault for the failure to file either or both the report and tax payment with the commission.

(2) Lost or misdirected mail shall not be grounds for waiving the fine.

**B. Hotels and motels:** The commission shall levy a fine on any hotel or motel facility or establishment that fails to file either or both the report and supervisory fee payment within the prescribed time frame for any closed circuit telecast, podcast or webcast of a commission-regulated event in the state of New Mexico.

(1) The commission shall waive the fine if it determines that the hotel or motel facility or establishment was not at fault for the failure to file either or both the report and fee payment with the commission.

(2) Lost or misdirected mail shall not be grounds for waiving the fine.

[15.6.13.13 NMAC - N, 03-23-2002; A/E, 10-11-2005; A, 08-26-2012]

**15.6.13.14 TELEVISION TECHNICIANS REQUIRED:** A qualified television technician shall be present at each location where a closed circuit telecast of a commission-regulated event is being presented.

**A. Promoter's responsibilities.**

(1) It is the responsibility of the promoter to ensure that there is a qualified television technician present at each televised event.

(2) Two days prior to the scheduled event, the promoter shall furnish the commission with the names of all such television technicians.

**B. Commission approves technicians:** Televisions technicians must be approved by the commission. The commission reserves the right to disapprove the event if it determines that the television technician is not qualified.

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

**HISTORY of 15.6.13 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 80-13, Closed Circuit T.V., filed 9-24-80.

NMAC Rule 92-15, Closed Circuit Telecasts, filed 8-17-92.

NMAC Rule 92-1, Definitions, filed 8-17-92.

Those relevant portions of NMAC Rule 95-1, Definitions, filed 5-5-95.

**History of Repealed Material:**

NMAC Rule 95-1 (aka 15 NMAC 6.1), Definitions, filed 5-5-95; repealed effective 03-23-2002.

NMAC Rule 92-15 (aka 15 NMAC 6.13) Closed Circuit Telecasts, filed 8-17-92; repealed effective 03-23-2002.

**Other History:**

NMAC Rule 95-1 was recompiled into the first version of the New Mexico Administrative Code as 15 NMAC 6.1 and named Definitions.

NMAC Rule 92-15 was recompiled into the first version of the New Mexico Administrative Code as 15 NMAC 6.13 and named Closed Circuit Telecasts.

15.6.13 NMAC, Closed Circuit Telecasts, replaced 15 NMAC 6.13, Closed Circuit Telecasts, effective 03-23-2002.