

Relevant Excerpts from SENATE BILL 229 (Relating to the Gaming Control Act):

“60-2E-34.1. SELF-EXCLUSION FROM GAMING

ESTABLISHMENTS—PROCEDURE—FINES—CONFIDENTIALITY,—

- A. The board [Gaming Control Board] shall develop rules that permit a person who is a compulsive gambler to be voluntarily excluded from a gaming establishment.
- B. Self-exclusion shall occur through written application made by the compulsive gambler to the board and shall be governed by the following provisions:
- (1) self-exclusion shall be enforceable upon issuance of a self-exclusion order by the board to each self applicable gaming establishment identified in the order;
 - (2) only the person who is the compulsive gambler may apply on that person’s behalf;
 - (3) the application shall be submitted to the board;
 - (4) except for notification of the gaming establishments for which the self-exclusion order is effective and for notification for mailing list exclusion pursuant to this section, the application and the self-exclusion order shall be held confidential by employees of the board and a gaming operator licensee and its employees and key executives;
 - (5) a self-exclusion order may apply to one or more gaming establishments licensed pursuant to the Gaming Control Act;
 - (6) a self-excluded person, if present at a gaming establishment from which the person is excluded, shall forfeit the following to that gaming establishment, provided that all money or other property forfeited shall be used by the gaming establishment only to supplement the one-fourth percent of the net take of its gaming machines to fund or support programs for the treatment and assistance of compulsive gamblers pursuant to Subsection E of Section 60-2E-47 NMSA 1978:
 - (a) all winnings of the person obtained while present at the gaming establishment; and
 - (b) all credits, tokens or vouchers received by the person while present at the gaming establishment;
 - (7) a gaming establishment is immune from liability arising out of its efforts to exclude a person identified in a self-exclusion order; and
 - (8) a specific term shall be set for each self-exclusion order.
- C. Notice shall be submitted by the board at least monthly to all gaming establishments listing all persons who are currently self-excluded and ordering the removal of their names from direct mail or electronic advertisement or promotional lists.
- D. The state gaming representative may negotiate an agreement with each tribal casino in the state to allow the state to include tribal casinos in the self-exclusion orders.”