

FAQs –General Information

What is Gambling?

Gambling or Gaming has three elements, *consideration*, *chance* and a *prize*. If you pay to participate that is consideration, element of chance is the deal of a card, roll of the dice or draw of a ticket. Prize is any item of value paid to a winner. Remove any one or more of these three elements and it is not considered gambling.

Example: Five people sit down to a game of poker, they pay nothing to play but instead receive chip/tokens (no consideration). The cards are dealt (the element of chance is present). The winner receives the chips/tokens that were placed as bets by the players (the chips have no real value so there is no prize). This situation lacks two of the three elements and therefore would not be considered gambling.

Can Senior Citizen Centers conduct bingo?

Yes they can as long as all proceeds are paid out and only to those who paid to play; at least half the players are over the age of fifty-five and no player is under the age of eighteen. No license is required for bingo conducted at a senior citizen center when these conditions are met. See [30-19-7.2 NMSA 1978](#), Recreational bingo exemption.

Do you need to be licensed to hold a raffle or bingo?

In order to conduct Bingo or a Raffle, you must be a “qualified organization” as defined by Section [60-2F-4\(Y\) NMSA 1978](#). A license is needed if a “qualified organization” intends to hold more than one raffle or bingo a quarter or four in one year.

Can I raffle off my house, my car, my boat...?

No, an individual or an unqualified organization may not conduct any games of chance. A raffle is a game of chance. Only organizations as defined in Section [60-2F-4\(Y\) NMSA 1978](#) “qualified organizations”, may conduct certain game of chances, such as a raffle. It is a fourth degree felony for an individual who is not representing a qualified organization, to conduct a game of chance under [30-19-3 NMSA 1978](#) and those participating can be charged with a petty misdemeanor per [30-19-2 NMSA 1978](#).

Can a political candidate hold a raffle to raise funds for his/her campaign?

No, political candidates and their campaign committees are not considered “qualified organization” as defined in the New Mexico Bingo and Raffle Act [[60-2F-4\(Y\) NMSA 1978](#)].

Are there limits on the prizes that can be raffled?

A “qualified organization” may raffle anything that does not require a license to distribute or possess such as alcoholic beverages and certain firearms. If the prize has a value greater than \$75,000 then the Gaming Control Board must be notified at least ten (10) days prior to beginning raffle ticket sales or advertizing using form [BR-024](#).

Can children play or even enter a Bingo Hall?

New Mexico law has no age limit for playing bingo or entering a bingo hall. However, the operators of Bingo Games set age limits, which will be posted in their “House Rules”.

Can you smoke in a Bingo Hall?

The Dee Johnson Clean Air Act prohibits smoking in facilities open to the public but bingo halls are exempt from this law. However operators of Bingo Games may prohibit smoking in part or all of their facility and, if so, will have it posted in their “House Rules”.

Can we hold a “Casino Night” “Monte Carlo Night”, “Poker Run” or “Texas Hold ‘Em Tournament” as a fund raiser?

All types of gambling are illegal in New Mexico unless specifically authorized by State statute. Therefore, casino style games, poker or any other card games are illegal if played for profit. If a "Casino Night" type of event is conducted purely for entertainment, with no money changing hands, it is not gambling.

State law does allow certain types of gambling for charitable fundraising purposes, if conducted by a "qualified organization". Section [60-2F-4\(Y\)](#) of the New Mexico Bingo & Raffle Act lists the various types of "qualified organizations" that can raise money through a bingo or raffle. If a "Casino Night" or a "Texas Hold 'Em tournament" is conducted by a "qualified organization" as

Revised October 6, 2009

a raffle, it is authorized by law. If, however, a player's chances of winning the "raffle" are increased or decreased by their play, that is unlawful.

Example: "Poker Run" may be used as a means to raise funds by a "qualified organization" if it is conducted as a raffle where the odds of winning are not affected by the deal of the cards. If the participants navigate to each location and receive a card, then when arriving at the final location the highest poker hand wins a nominal prize such as a T-shirt or perhaps bragging rights and then all participants put their names on all the cards they received, deposit all cards into a container where a random card is selected as the winner of the prize(s) with real value, this is considered a raffle and is specifically authorized by the New Mexico Bingo & Raffle Act [[60-2F-1 NMSA 1978](#)].

Please be aware that local law enforcement and the local district attorney may evaluate a proposed event differently. Also, any venue with a liquor license that is considering hosting any type of casino night or poker tournament conducted as a raffle should contact the [Liquor and Gaming Division](#) of the New Mexico Regulation & Licensing Department prior to doing so. Additional inquiries, including consulting your own attorney for specific legal advice, should take place prior to determining your final course of action.

Can we hold a Non-Licensed Bingo or Raffle in a Licensed Bingo Facility?

Yes, if you are a "qualified organization" and the licensed operator submits a [REGISTRATION OF NON-LICENSED BINGO AND RAFFLE EVENT AT A LICENSED PREMISE](#) form prior to your event.

How can our organization become licensed to hold bingo games?

The [application](#) is available on our website (www.nmgcb.org). Print, complete and mail it with the fee to:

New Mexico Gaming Control Board
Licensing Division
4900 Alameda Blvd NE
Albuquerque, NM 87113-1736

Are sporting event pools like "Super Bowl Pools" or "March Madness Pools" legal?

No, they are not. No form of sports gambling is legal in New Mexico.

Revised October 6, 2009