§ 2312. Definitions.

As used in this chapter, the term:

(a) "Casino" means a place, area, structure, vessel, communication channel, or other thing, tangible or intangible, subject to licensing pursuant to this chapter for the conduct and playing of one or more games, or the acceptance of bets and wagers, including all associated activities of gaming and wagering, such as money counting, surveillance, accounting, and storage, related to such conduct and playing, provided, that such term shall not include areas of a resort complex or other facility exclusively devoted to other activities, such as a hotel, golf course, etc., in which no game is conducted or played and no wagering occurs;

(b) "Casino employee" means any natural person employed by the licensed casino who carries out or conducts casino gaming activities as part of the business of the exclusive casino licensee, which person shall be eighteen years of age or older and hold a license granted by the Commission. Persons deemed to be casino employees shall include

(1) Table games personnel who attend to or conduct gaming activities, including dealers, floor people, pit managers and shift managers.

(2) Cage and count room personnel who support gaming activities within the casino, including cashiers, supervisors and shift managers.

(3) Security personnel who work within the casino gaming areas, including guards, supervisors and shift managers.

(4) Surveillance personnel who work within the casino gaming areas, including operators, supervisors and shift managers.

(5) Marketing personnel who attend to or support gaming activities within the casino gaming areas, including hosts, marketing representatives, supervisors and shift managers.

(6) Slot machines personnel who attend to or support gaming activities within the casino, including attendants, technicians, supervisors and shift managers.

(7) Accounting personnel who work directly with financial information relating to gaming activities, including revenue auditors staff accountants and supervisors.

(8) Information technology personnel who attend to or support gaming activities within the casino, including technicians, engineers and supervisors.

(9) Members of the management team who are manager level and above and who oversee or supervise or have responsibility over any of the above operations.

(10) Executive directors of the casino licensee.

(c) "Casino gaming activities" means all games of chance and other games played in major casino establishments in the United States and other games approved by the Commission, and further includes the operation of a sports book approved by the Commission to accept bets and wagers on sporting and other events which rely on events which occur within and without the casino;

(d) "Casino gross gaming revenue" means the total sums actually received from casino gaming activities, including credit card payments received and checks received whether collected or not, less the total amount paid out as winnings, provided that any sum received in payment for credit extended by a casino or operator for purposes of casino gaming activities or for the issue of a chip or chips for casino gaming activities shall be included as a sum received from gaming, and provided further that no allowance shall be permitted for any credit card fee or discount;

(e) "Casino service provider" means a person subject to licensing pursuant to this chapter that offers goods or services directly related to casino gaming activities, including such persons as gaming equipment manufacturers, importers, distributors, or repairers; and casino security services;

(f) "Commission" means the Commonwealth Casino Commission established by this article;

(g) "Convention center" is a place, combining the requirements of a hotel described in subsection (j) of this section, for a formal assembly or meeting of members, representatives, or delegates of a group, such as a political party, fraternity, union, business, government or religious entity;

(h) "Game" means any activity that includes elements of prize, consideration, and chance, or any "game" that is approved by the Commission for the casino's purposes;

(i) "Gaming" means the playing of any game;

(j) "Hotel" means a building containing not fewer than 250 sleeping units (rooms), each held available and used regularly for the lodging of tourists and guests who are also provided entertainment, means, and other services;

(k) "Operator" means any person that actually provides the overall management of the operations of a casino, whether by ownership, lease, contract, agreement, or otherwise;

(l) "Person" includes a natural person, as well as a partnership, corporation, association, joint venture, or other business entity;

(m) "Resort" means a place, such as a hotel with no fewer than 500 rooms and a meeting hall, convention center or other large event space capable of accommodating 1,000 attendees, that is frequented by people for relaxation or recreation;

(n) "Wager" or "Wagering" means a contract in which two or more parties agree that a sum of money or other thing, tangible or intangible, shall be paid or delivered to one of them or that shall gain or lose on the happening of an uncertain event or upon the ascertainment of a fact in dispute.

(o) "Settlement Agreement" means the Final Amended Stipulation and Agreement of Settlement entered into in *Johnson v. Inos*, Civil Case No. 09-23 (D.N.M.L).

Source: PL 18-38 § 5(202) (Mar. 21, 2014), modified; subsection (o) added by PL 18-43 § 9 (Apr. 1, 2014); repealed by PL 18-56 § 2 and reenacted by PL

18-56 § 7(2312) (July 11, 2014); subsection (b) amended by PL 19-24 § 8 (Dec. 4, 2015); subsection (e) amended by PL 19-24 § 9 (Dec. 4, 2015).