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HOUSE BILL 582

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Donald E. Bratton

AN ACT

RELATING TO GOVERNMENTAL CONDUCT; PROHIBITING A PUBLIC OFFICER,
EMPLOYEE OR AGENT FROM SOLICITING A PERSON TO MAKE A
CONTRIBUTION AS A CONDITION FOR DOING BUSINESS WITH THE STATE
OR A POLITICAL SUBDIVISION OF THE STATE; REQUIRING PERSONS TO
REPORT CONTRIBUTIONS SOLICITED BY A PUBLIC OFFICER, EMPLOYEE OR
AGENT; PROVIDING FOR PENALTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. UNLAWFUL CONTRIBUTIONS--PENALTY.--

A. A public officer or employee, or an agent of
either, shall not directly or indirectly solicit a person to
make a contribution to another person as a condition for doing
business with the state or a political subdivision of the
state.

B. A person who is solicited to make a contribution

.159733.1

underscoring material = new
[bracketed material] = delete

1 to another person as a condition for doing business with the
2 state or a political subdivision of the state shall report any
3 contribution solicited by a state officer or employee, or an
4 agent of either. The report shall be made to the attorney
5 general within thirty days of the contribution and shall
6 contain the following information:

7 (1) the name of the person soliciting the
8 contribution and date the solicitation was made;

9 (2) the name and address of the person that
10 received the contribution; and

11 (3) the amount of the contribution.

12 C. A person who knowingly violates a provision of
13 this section is guilty of a fourth degree felony.

14 D. As used in this section:

15 (1) "doing business with" means entering into
16 an agreement to provide goods or services or to purchase, sell
17 or lease an interest in property;

18 (2) "person" means an individual or legal
19 entity; and

20 (3) "public officer or employee" means any
21 person who has been elected to, appointed to or hired for any
22 state office or office of a political subdivision of the state
23 and who receives compensation in the form of salary or is
24 eligible for per diem or mileage.