## HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR HOUSE BILL 73

53rd legislature - STATE OF NEW MEXICO - FIRST SESSION, 2017

AN ACT

RELATING TO LOBBYING; PROHIBITING FORMER STATE PUBLIC OFFICERS,
FORMER PUBLIC REGULATION COMMISSIONERS, FORMER LEGISLATORS AND
FORMER CABINET SECRETARIES FROM ACCEPTING COMPENSATION FOR
LOBBYING THE STATE ENTITY FOR WHICH THEY SERVED OR WORKED, OR
HAVING AN INTEREST IN A CONTRACT TO LOBBY THOSE ENTITIES, FOR A
PERIOD OF TWO YEARS AFTER THEIR SERVICE; PROHIBITING EMPLOYERS
OF LOBBYISTS FROM COMPENSATING FORMER STATE PUBLIC OFFICERS,
FORMER PUBLIC REGULATION COMMISSIONERS, FORMER LEGISLATORS AND
FORMER CABINET SECRETARIES FOR LOBBYING THE STATE ENTITY FOR
WHICH THEY SERVED OR WORKED FOR A PERIOD OF TWO YEARS AFTER
THEIR SERVICE; PROHIBITING STATE PUBLIC OFFICERS, PUBLIC
REGULATION COMMISSIONERS, LEGISLATORS AND CABINET SECRETARIES
FROM HAVING A CONTRACT TO LOBBY FOR COMPENSATION THE STATE
ENTITY WITH WHICH THEY SERVE OR WORK; IMPOSING A PENALTY.

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

**SECTION 1.** A new section of the Lobbyist Regulation Act is enacted to read:

"[NEW MATERIAL] RESTRICTIONS ON LOBBYING BY CERTAIN
CURRENT AND FORMER PUBLIC OFFICIALS--PENALTY.--

## A. As used in this section:

- (1) "official" means a state public officer, a public regulation commissioner, a state legislator or a cabinet secretary; and
- (2) "lobby" means attempting to influence a decision related to any matter to be considered or being considered by the state entity at which the former official served or worked or any matter requiring action or awaiting action by that state entity, but "lobby" shall not include the practice of law in accordance with applicable rules governing attorneys.
- B. A former official shall not accept compensation to lobby the state entity for which the official served or worked for a period of two years after the official has ceased service or work with that state entity.
- C. A person shall not directly or indirectly compensate a former official to lobby the state entity for which the official served or worked for a period of two years after the official has ceased service or work with that state entity.

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- E. Any person who knowingly and willfully violates a provision of this section is guilty of a misdemeanor and upon conviction shall be sentenced pursuant to the provisions of Section 31-19-1 NMSA 1978."
- SECTION 2. APPLICABILITY.--An official holding an office or position on or before July 1, 2017 shall not be subject to the provisions of this act until the official is reelected to the same office, is appointed or elected to another office, is reappointed to the official's current position or is appointed to another position covered by this act.

SECTION 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2017.

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