

LFC Requester: \_\_\_\_\_

**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)**  
*(Analysis must be uploaded as a PDF)*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

*Check all that apply:*

**Date Prepared:**

\_\_\_\_\_ 1/23/24 \_\_\_\_\_

**Bill Number:**

\_\_\_\_\_ *HB 26* \_\_\_\_\_

Original

Correction

Amendment

Substitute

**Sponsor:** Representative Kathleen Cates

**Short**

**Title:**

**Agency Name  
and Code  
Number:**

Department of Cultural Affairs—  
505

**Person Writing**

Zack Quintero and Michelle

**Phone:** \_\_\_\_\_

**Email** \_\_\_\_\_

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
N/A	N/A		

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
N/A	N/A			

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY25</b>	<b>FY26</b>	<b>FY27</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

##### Synopsis:

HB 26 amends Chapter 30 Section 46-1 of the New Mexico Criminal Code related to ticket scalping by adding state agencies, political subdivisions of the state and non-profits to the law, which currently applies to college athletic events.

#### **FISCAL IMPLICATIONS**

There are no major assumptions or underlying fiscal impact.

#### **SIGNIFICANT ISSUES**

The law limits unauthorized vendors (scalpers) from overcharging patrons for performances hosted by the state entities and nonprofit organizations. The current practice being done online by scalpers targets taxpayers into purchasing overpriced tickets. Those efforts create financial and reputational harm to New Mexico performers and state government institutions that host them. Over the last few years more sophisticated scams have started to develop online luring NM taxpayers to purchase tickets that unauthorized vendors are selling. This bill helps stop that from continuing by placing their actions into a fine and or jail time.

#### **PERFORMANCE IMPLICATIONS:**

No performance implications identified on the statute side.

#### **ADMINISTRATIVE IMPLICATIONS:**

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

The proposed bill shares a relationship with Chapter 30 Section 46-1 of the New Mexico Criminal Code related to ticket scalping. It amends this section.

#### **TECHNICAL ISSUES**

No technical issues in the statutory change identified

#### **OTHER SUBSTANTIVE ISSUES**

#### **ALTERNATIVES**

#### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

The consequences of not enacting this bill will be unauthorized vendors continuing to target taxpayers and guests of performing arts venues and organizations across the state. This could result in reduced attendance, public confusion about actual ticket prices, and potentially limit access to state and nonprofit ticketed events and activities

## AMENDMENTS