

LFC Requester:

Emily Hilla

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

SECTION I: GENERAL INFORMATION

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

Date Prepared: 2/6/2025

Check all that apply:

Bill Number: SB248

Original Correction
Amendment Substitute

Sponsor: Sen. Harold Pope

Agency Name and Code Number: 305 – New Mexico Department of Justice

Person Writing

Short Title: Lobbyist Regulation and Expenditure Reports

Analysis: AAG Erica Schiff

Phone: 505-537-7676

Email: legisfir@nmag.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

| Appropriation | | Recurring or Nonrecurring | Fund Affected |
|---------------|------|---------------------------|---------------|
| FY25 | FY26 | | |
| | | | |
| | | | |

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

| Estimated Revenue | | | Recurring or Nonrecurring | Fund Affected |
|-------------------|------|------|---------------------------|---------------|
| FY25 | FY26 | FY27 | | |
| | | | | |
| | | | | |

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

| | FY25 | FY26 | FY27 | 3 Year Total Cost | Recurring or Nonrecurring | Fund Affected |
|--------------|-------------|-------------|-------------|------------------------------|------------------------------------------|--------------------------|
| Total | | | | | | |

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis:

SB248 would amend requirements of lobbyist reporting of expenditures under the Lobbyist Regulation Act, NMSA 1978, §§ 2-11-1 to -10, (the “Act”) and amend the definitions section of the Act.

Section 1 would amend Section 2-11-2 to add definitions of the following terms, which appear in Section 2: “beneficial client,” “beneficiary,” “contractual client,” “legislation,” and “payee.” Section 1 also corrects certain gendered language (e.g., “his” to “the individual’s”) and otherwise provides minor technical edits for clarification.

Section 2 would amend Section 2-11-6 to eliminate the requirement to include the cumulative total of all individual expenditures in the expenditure report, reduce the amount of individual expenditure that must be reported from \$100 to \$50, and require lobbyists to identify the date of expenditures, the payee, the beneficiary, the contractual client, the beneficial client, the purpose of the expenditure, and the amount of the expenditure in their expenditure reports.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

None.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SB90: Would add a new section to the Act to bar legislators from serving as lobbyists

before the Legislature for two years after their final term. No apparent conflict.

HB143: Would enact new legislation that would require a lobbyist activity report on legislation lobbied and position taken by a lobbyist or lobbyist's employer, and would preserve such reports for at least ten years. No apparent conflict.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None.