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FISCAL IMPACT REPORT

SPONSOR <u>Pope/Figueroa</u>	LAST UPDATED <u>3/5/25</u>	ORIGINAL DATE <u>2/22/2025</u>
SHORT TITLE <u>Lobbyist Regulation & Expenditure Reports</u>	BILL NUMBER <u>Senate Bill 248/aSRC</u>	
	ANALYST <u>Hilla</u>	

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT*

(dollars in thousands)

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
SOS	No fiscal impact	\$30.5	No fiscal impact	\$30.5	Nonrecurring	General Fund
SOS	No fiscal impact	No fiscal impact	\$0.5	\$0.5	Recurring	General Fund
Total	No fiscal impact	\$30.5	\$0.5	\$31.0	Recurring	General Fund

Parenttheses () indicate expenditure decreases.
 *Amounts reflect most recent analysis of this legislation.

Relates to House Bill 143 and Senate Bill 90

Sources of Information

LFC Files

Agency Analysis Received From
 Secretary of State (SOS)
 New Mexico Attorney General (NMAG)
 State Ethics Commission (SEC)

SUMMARY

Synopsis of SRC Amendment to Senate Bill 248

The Senate Rules Committee (SRC) amendment to Senate Bill 248 strikes language of “individual or organization” and swaps it with “person.” This language swap changes the definitions of beneficial client, beneficiary, contractual client, lobbyist and payee. In the Lobbyist Regulation Act, a person is defined as “a person as a person, partnership, association, committee, federal, state or local government entity or agency, however constituted, public or private corporation or any other organization or group of persons who are voluntarily acting in concert.”

Synopsis of Senate Bill 248

Senate Bill 248 (SB248) amends the Lobbyist Regulation Act. SB248 creates the following definitions:

- Adds “beneficial client”, defined as an individual or organization on whose behalf lobbying is being conducted;
- Adds “beneficiary”, defined as the individual(s) who directly benefited or otherwise gained from an expenditure;
- Adds “contractual client”, as an individual or organization that retains services of a lobbyist for benefit; and
- Adds “legislation” defined as a bill, resolution, amendment, nomination in either house of the legislature, including introduction, consideration, passage, defeat, approval or veto, including a constitutional convention.

The bill would require lobbyists to report expenditure of \$50 or more and to include the date of expenditure, the payee, beneficiary, contractual client, beneficial client, and the purpose of the expenditure, including identification of specific legislation and stance taken.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns if enacted, or June 20, 2025.

FISCAL IMPLICATIONS

The Secretary of State (SOS) states that SB248 would require changes to its online reporting systems, which would cost \$30.5 thousand in one-time costs in FY26 and \$500 in recurring maintenance starting in FY27. This affects the general fund

SIGNIFICANT ISSUES

SRC’s amendment replacing "individual" with "person" aligns with the Lobbyist Regulation Act’s definition of "person," which is broader and more inclusive. This change ensures that the term encompasses both natural persons and legal entities, such as partnerships or government agencies, rather than being limited to individuals.

The State Ethics Commission (SEC) notes the bill aligns with national trends in lobbying disclosure by providing more transparency requirements. SEC states that gaps in the state’s disclosure requirements make it difficult to track how lobbying funds are spent, what decisions are being influenced, and other lobbying activities. SEC states SB248 provides clearer guidance for compliance with existing law.

SOS states that an effective date of July 1, 2026, would more reasonably accommodate secure and successful implementation to its current online reporting systems.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

The bill relates to House Bill 143 and Senate Bill 90, which both make other changes to the Lobbyist Regulation Act. SB248 duplicates the part of House floor amendments to House Bill 143, such as the reporting of expenditures of \$50 or more made by a lobbyist.