

LFC Requester:	Felix Chavez
----------------	--------------

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}*

**Date Prepared:** 02/05/25 *Check all that apply:*  
**Bill Number:** SB259 Original  Correction   
 Amendment  Substitute

**Sponsor:** Sen. Duhigg **Agency Name and Code** State Ethics Commission (410)  
**Short Title:** Amending the Charitable Solicitations Act **Number:** \_\_\_\_\_  
**Person Writing** Jessica Randall  
**Phone:** 505-554-7706 **Email** Jessica.randall@sec.nm.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

<b>Total</b>	Indeterminate	Indeterminate	Indeterminate			General
--------------	---------------	---------------	---------------	--	--	---------

(Parenthesis ( ) Indicate Expenditure Decreases)

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

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis: SB259 makes changes to the Charitable Solicitations Act NMSA 1978, Sections 57-22-1 to -11 (1983, as amended through 2023) which authorizes the attorney general to monitor, supervise, and enforce the charitable functions of charitable organizations and otherwise regulate professional fundraisers acting on behalf of charitable organizations. *See* § 57-22-2 (1983). The proposed changes within SB 259 clarify that oversight by the attorney general under the Charitable Solicitations Act includes third-party solicitors, who contract with and otherwise act on behalf of a charitable organization.

SB259 adds registration fees and adds information that charitable organizations or third-party contractors must include in its registration with the attorney general, and also requires professional fundraisers to provide detailed financial reports to the attorney general within 90 days after the completion of a solicitation campaign.

SB259 adds a new section to the Charitable Solicitations Act that regulates operations of collection receptacles and adds an enforcement subsection for the attorney general to investigate violations under the Charitable Solicitations Act. SB259 also adds authority to the attorney general to conduct a financial audit by an independent CPA for any charitable organization, professional fundraiser or third-party solicitor.

**FISCAL IMPLICATIONS**

SB259 does not appear to have any fiscal impact on the State Ethics Commission.

**SIGNIFICANT ISSUES**

**PERFORMANCE IMPLICATIONS**

**ADMINISTRATIVE IMPLICATIONS**

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

**TECHNICAL ISSUES**

**OTHER SUBSTANTIVE ISSUES**

**ALTERNATIVES**

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

**AMENDMENTS**