



## STATE ETHICS COMMISSION

Hon. William F. Lang, Chair  
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Stuart M. Bluestone, Member  
Hon. Garrey Carruthers, Member  
Hon. Celia Foy Castillo, Member  
Ronald Solimon, Member  
Judy Villanueva, Member

### **Resolution No. 2023-03: Authorizing demands and civil actions to enforce the Financial Disclosure Act**

WHEREAS, THE NEW MEXICO STATE ETHICS COMMISSION (“Commission”) met at the New Mexico Department of Agriculture, 3190 S. Espina St., Las Cruces, NM, 88001, on June 02, 2023, at 9:00 a.m.;

WHEREAS, the Commission has the authority to investigate violations and commence civil actions to enforce the Financial Disclosure Act, NMSA 1978, §§10-16A-1 to -9 (1993, as amended 2021);

WHEREAS, the Secretary of State referred 118 individuals to the Commission on May 8, 2023, for the failure of such individuals to file required financial disclosure statements for 2023, despite the Secretary of State’s repeated efforts to obtain voluntary compliance;

WHEREAS, the Commission has reason to believe that specific individuals required to file financial disclosure statements with the Secretary of State in January 2023 violated Section 10-16A-3(C) of the Financial Disclosure Act by failing to file such financial disclosure statements; and

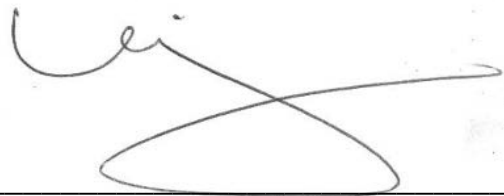
WHEREAS, the Executive Director has sought the authorization of the Commission to initiate civil actions under NMSA 1978, Sections 10-16A-8(B) and 10-16G-9(F) against said individuals, and has explained the proposed civil actions

and remedies to be sought, to include civil penalties authorized under the Financial Disclosure Act.

NOW, THEREFORE, BE IT RESOLVED by the New Mexico State Ethics Commission:

1. The Commission's staff are authorized to: (i) review and confirm whether the 118 individuals referred by the Secretary of State registered for an account, filed, or attempted to file a 2023 financial disclosure statement; (ii) demand that those individuals, or some subset thereof, who were required to file a financial disclosure statement in January 2023 under Section 10-16A-3(C) and have failed to do so comply with the Financial Disclosure Act; and (iii) prepare and file a civil action in a court of competent jurisdiction seeking to enforce the civil compliance provisions of the Financial Disclosure Act and any other relief that the court deems just and proper for those individuals who remain out of compliance with their filing requirements, or some subset thereof.
2. If Commission staff institute litigation against any or all of the individuals out of compliance with their 2023 Financial Disclosure Act requirements, the Executive Director is instructed to provide regular updates on the status of such litigation at the Commission's meetings during closed session. Commission staff shall communicate with the Chair as necessary between Commission meetings.
3. The Executive Director is authorized to enter agreements to settle or dismiss claims brought against any or all of the individuals out of compliance with their 2023 Financial Disclosure Act requirements, upon having conferred with the Chair or his designee.

Adopted by the New Mexico State Ethics Commission this 2nd day of June 2023.



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The Hon. William F. Lang  
New Mexico State Ethics Commission  
Chair