

## AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
**[AgencyAnalysis.nmlegis.gov](mailto: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:** February 9, 2026 **Check all that apply:**  
**Bill Number:** HB 164 **Original**  **Correction**   
**Amendment**  **Substitute** X

**Agency Name  
and Code**

**Sponsor:** Sarah Silva; Jeff Steinborn  
**Short**  
**Title:** Lobbying Activity Reports

**Number:** State Ethics Commission 410  
**Person Writing** Grace Su  
**Phone:** 505-859-9625 **Email** grace.su@sec.nm.gov

### **SECTION II: FISCAL IMPACT**

#### **APPROPRIATION (dollars in thousands)**

<b>Appropriation</b>		<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>FY26</b>	<b>FY27</b>		

#### **REVENUE (dollars in thousands)**

<b>Estimated Revenue</b>			<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>FY26</b>	<b>FY27</b>	<b>FY28</b>		

(Parenthesis ( ) indicate revenue decreases)

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

	<b>FY26</b>	<b>FY27</b>	<b>FY28</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(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:

This bill creates a new section of the Lobbyist Regulation Act, with an effective date of January 1, 2027, that requires the filing of a lobbying activity report within forty-eight hours of the commencement of the lobbying activity by any lobbyist or lobbyist's employer that is required to file a registration statement or expenditure report under NMSA 1978 Section 2-11-6 or a registration statement pursuant to NMSA 1978 Section 2-11-3, respectively.

Section 1 of this bill describes the contents of a lobbying activity report. The scope of a lobbying activity report covers lobbying for legislation that has been introduced in and lobbying in any development of legislation prior to its introduction in a legislative session. Specifically, the report must identify the following information: (1) the specific legislation lobbied; (2) the lobbyist's employer's support, opposition, or other position taken on the legislation; and (3) the name of the lobbyist's employer that lobbied on the registration, either directly or through the employer's authorized lobbyist. The lobbying activity reported for each specific piece of legislation must be included or linked on the legislature's website for that specific piece of legislation.

Section 2 of this bill focuses on the preservation of a public record regarding the registration, expenditure, and lobbying activity report as required by the Lobbyist Regulation Act. This information shall be accessible and archived on the Secretary of State's lobbyist disclosure website for at least ten years from the date of filing and must be open to public inspection at any reasonable time. The information must be available in searchable, sortable, and downloadable by the public.

### **FISCAL IMPLICATIONS**

These amendments could marginally increase the Commission's workload relating to the Lobbyist Regulation Act but are not anticipated to create significant fiscal implications for the Commission.

### **SIGNIFICANT ISSUES**

Lobbying is an important part of New Mexico's democratic process, offering lawmakers access to specialized knowledge and perspectives that can lead to better-informed public policies. However, lobbying also carries risks, such as the potential for undue influence that may compromise fairness, transparency, and public trust. Laws regulating lobbyists can help balance these benefits and risks, ensuring that lobbying serves the interests of all New Mexicans.

### **PERFORMANCE IMPLICATIONS**

### **ADMINISTRATIVE IMPLICATIONS**

The State Ethics Commission has jurisdiction to investigate and adjudicate administrative complaints alleging violations of the Lobbyist Regulation Act, to enforce the Lobbyist Regulation Act through civil actions, and to issue advisory opinions regarding the Lobbyist Regulation Act.

These amendments could marginally increase the Commission's workload relating to the Lobbyist Regulation Act.

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

HB 35 has also been introduced during the 2026 legislative session and is largely duplicative of HB 164.

### **TECHNICAL ISSUES**

### **OTHER SUBSTANTIVE ISSUES**

### **ALTERNATIVES**

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

### **AMENDMENTS**