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STATE ETHICS COMMISSION

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PRESS RELEASE

State Ethics Commission files lawsuit against Elevate New Mexico, a Virginia corporation, for violations of the Lobbyist Regulation Act

Albuquerque, NM, April 23, 2026 – The New Mexico State Ethics Commission has filed a civil enforcement action against Elevate New Mexico, a Virginia-based nonstock corporation, for violations of the Lobbyist Regulation Act (“LRA”), NMSA 1978, §§ 2-11-1 to 2-11-10.

The Commission alleges that Elevate New Mexico engaged in an extensive, unregistered, and undisclosed advertising campaign to influence New Mexico Environment Department Secretary James Kenney to approve air permit applications submitted by Acoma, LLC, now operating as Yucca Growth Infrastructure, for the construction of two natural-gas-fueled microgrid power plants associated with “Project Jupiter,” a proposed data center development in Doña Ana County. The campaign included digital advertisements, print mailers distributed across multiple counties, and an online advocacy platform urging members of the public to submit comments to Secretary Kenney urging his approval of the permits.

The LRA mandates that organizations conducting an advertising campaign for the purpose of lobbying register with the Secretary of State and disclose campaign-related expenditures and contributions. Despite expending more than \$2,500 on this lobbying advertising campaign—thereby triggering statutory requirements—Elevate New Mexico failed to register with the Secretary of State and has not disclosed any information regarding its contributions or expenditures, as required by Section 2-11-6(I) of the LRA. After the Commission asked Elevate to comply

with the LRA, Elevate refused, relying on a strained, self-serving and incorrect interpretation of New Mexico law. Accordingly, at its April 17, 2026 meeting, the Commission unanimously authorized the filing of a civil action to compel Elevate to meet the registration and disclosure requirements the LRA requires.

Transparency is a cornerstone of New Mexico law, ensuring that the public can evaluate who is seeking to influence governmental decisions, particularly on matters of significant public concern. “New Mexicans have a right to know who is funding efforts to influence state official acts that impact their communities, environment, health, and public resources,” said Amelia Bierle, Deputy Director of the State Ethics Commission. “Out-of-state corporations do not get to operate in the shadows when attempting to influence New Mexico official actions affecting New Mexico communities.”

The Commission’s complaint seeks injunctive relief requiring Elevate New Mexico to comply with the LRA’s registration and reporting requirements, as well as civil penalties and any additional relief deemed appropriate by the Court.

[Click here to read the State Ethics Commission’s complaint.](#)

About the State Ethics Commission

The State Ethics Commission is an independent, constitutional state agency with the authority to enforce civil violations of New Mexico’s governmental ethics and disclosure statutes, including the Lobbyist Regulation Act. The Commission is comprised of three Democratic Commissioners, three Republican Commissioners, and one independent Commissioner who is registered as “decline to state.”

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For more information about the State Ethics Commission, please visit sec.nm.gov.