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FISCAL IMPACT REPORT

BILL NUMBER: House Bill 164

SHORT TITLE: Lobbying Activity Reports

SPONSOR: Silva

LAST **ORIGINAL**
UPDATE: **DATE:** 1/29/2026 **ANALYST:** Esquibel

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		Minimal	Minimal		Recurring	General Fund

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Relates to House Bill 35, Lobbying Activity Reports.

Sources of Information

LFC Files

Agency or Agencies Providing Analysis

Attorney General's Office

Secretary of State

State Ethics Commission

SUMMARY

Synopsis of House Bill 164

House Bill 164 (HB164) amends the Lobbyist Reporting Act to require lobbyists to file a "lobbying activity report(s)" with the Secretary of State (SOS) that disclose the lobbyist's or lobbyist's employer's lobbying activity on legislation that has been introduced, including any lobbying on the development of legislation prior to its introduction in a legislative session.

If passed, the lobbying activity report would include specific legislation lobbied; lobbyist's or lobbyist's employer's support, opposition, or other position taken on the legislation and whether the support, opposition, or other position changed; and the name of the lobbyist's employer that lobbied on the legislation, either directly or through the registered lobbyist. Lobbyists would be required to file the reports within 48 hours of the commencement of lobbying activity. The bill also requires reporting of lobbying done after a legislative session by the end of the period in which the governor may act on legislation,

The bill requires retention of lobbyist activity reports for 10 years after filing and includes an

effective date of January 1, 2027

FISCAL IMPLICATIONS

SOS reports HB164 creates a new reporting requirement for lobbyists that would be filed electronically with the SOS. If passed, these technical requirements could be incorporated in the scoping and development of a new ethics e-file system that is already underway.

SIGNIFICANT ISSUES

The State Ethics Commission, which investigates and adjudicates allegations of administrative violations of the Lobbyist Regulation Act, contends the New Mexico law is in need of updating:

New Mexico's lobbyist regulation laws currently rank among the least effective in the country. In 2022, OpenSecrets ranked New Mexico 41st nationwide in its analysis of lobbyist disclosure laws. If enacted, HB164 would modernize New Mexico's lobbyist disclosure requirements and follow a trend in other states of increased disclosure, including specific positions on legislation, any work to influence legislation before its formal introduction, and for those who commence lobbying after a legislative session to influence the governor's action on legislation.

SOS reports the implementation of a website link on the Legislature's website to a specific report filed by a lobbyist would require new, ongoing coordination with Legislative Council Services.

ADMINISTRATIVE IMPLICATIONS

HB164 grants SOS rulemaking authority for the format of reporting.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB164 is similar to House Bill 35, which has fewer reporting requirements but requires an additional lobbying report covering legislation lobbied, including before being introduced during a legislative session, as well as listing the position of the lobbyist and lobbyist's employer.

HB164 is similar to House Bill 143 introduced during the 2025 regular legislative session, which was passed by the House and Senate and vetoed by the governor.

RAE/sgs/hg/sgs