

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website ([www.nmlegis.gov](http://www.nmlegis.gov)).

## FISCAL IMPACT REPORT

ORIGINAL DATE 03/10/21

SPONSOR Steinborn LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Post-Session Lobbying Reports SB 314

ANALYST Nichols

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

	FY21	FY22	FY23	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
SOS		\$20.0 – \$35.0		\$20.0 – \$35.0	Nonrecurring	General Fund
Ethics Commission		Minimal	Minimal	Minimal	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to Senate Bill 311

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Secretary of State (SOS)

State Ethics Commission

### SUMMARY

#### Synopsis of Bill

Senate Bill B314 proposes to add a new section to the Lobbyist Regulation Act (LRA) requiring all lobbyists file reports with the Secretary of State (SOS) disclosing lobbying activity on legislation, including development of legislation prior to the legislative session, and whether the lobbyist supported, opposed, or took another position on the legislation.

Reports would be due prior to the adjournment of a legislative session. If the lobbyist lobbied after session adjournment, the disclosure report would be due before the end of the governor’s bill-signing period.

The bill directs SOS to determine the electronic format for reports and specific reporting deadlines through the rulemaking process. Reports would be filed and archived with SOS as a public record, in accordance with Section 2-11-7 NMSA 1978.

There is no effective date of this bill. It is assumed that the effective date is 90 days following adjournment of the Legislature.

### **FISCAL IMPLICATIONS**

SOS estimates a one-time cost of \$20 thousand to \$35 thousand to develop a new reporting module in its Lobbyist Reporting System. The agency notes that full funding of elections staff is necessary to keep up with the volume of work associated with existing and proposed statutory duties.

The State Ethics Commission anticipates a minimal impact to its operating budget as a result of increased duties related to lobbyist reporting.

### **PERFORMANCE IMPLICATIONS**

Both SOS and the State Ethics Commission would have additional duties related to lobbyist disclosure reports associated with review, compliance and enforcement.

### **ADMINISTRATIVE IMPLICATIONS**

SOS notes that SB314 would impose additional administration duties associated with education, compliance, and enforcement.

### **RELATIONSHIP**

Senate Bill 311 proposes amendments to the LRA, providing a definition of “advertising campaign” and requiring lobbyists to disclose the compensation they receive for lobbying.

AN/al