

SENATE BILL 218

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO LOBBYING; REQUIRING A LOBBYING ACTIVITY REPORT ON THE LEGISLATION LOBBIED AND POSITION TAKEN BY A LOBBYIST OR LOBBYIST'S EMPLOYER; PRESERVING LOBBYING ACTIVITY REPORTS FOR AT LEAST TEN YEARS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Lobbyist Regulation Act is enacted to read:

.224007.3AIC March 6, 2023 (12:59pm)

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"[NEW MATERIAL] LOBBYING ACTIVITY REPORT.--

A. Prior to the adjournment of a legislative session, a lobbyist or lobbyist's employer that is required to file an expenditure report pursuant to Section 2-11-6 NMSA 1978 or registration statement pursuant to Section 2-11-3 NMSA 1978 shall file an activity report or reports with the secretary of state that discloses the lobbyist's or lobbyist's employer's lobbying activity on legislation, including any lobbying on the development of legislation prior to its introduction in a legislative session, and that identifies the:

- (1) specific legislation lobbied;
- (2) 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
- (3) name of the lobbyist's employer that lobbied on the legislation, either directly or by the registered lobbyist.

B. If a lobbyist or lobbyist's employer commences lobbying on legislation after the adjournment of a legislative session, a lobbying report shall be filed prior to the end of the time period in which the governor may act on legislation.

C. A lobbyist or lobbyist's employer is only required to report lobbying activity on a piece of legislation one time unless the lobbyist's or lobbyist's employer's

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position on the legislation has changed, in which case the lobbying activity for each change in position shall be reported.

D. The lobbying activity report shall be filed at a time and in a format as prescribed by rule of the secretary of state. SRC→"←SRC

SRC→E. The lobbying activity reported for each specific piece of legislation shall be included or linked on the legislature's website for that specific piece of legislation."←SRC

SECTION 2. Section 2-11-7 NMSA 1978 (being Laws 1977, Chapter 261, Section 7, as amended) is amended to read:

"2-11-7. REGISTRATION, [~~AND~~] EXPENDITURE AND LOBBYING ACTIVITY REPORT--PRESERVATION AS PUBLIC RECORD--ONLINE REPORTS.--

A. Each registration, [~~and~~] expenditure and lobbying activity report as required by the Lobbyist Regulation Act shall be archived and accessible on the secretary of state's lobbyist disclosure website for a period of at least ten years from the date of filing as a public record, open to public inspection at any reasonable time. Unless an action or prosecution is pending that requires preserving the report, it may be destroyed ten years after the date of filing.

B. Lobbyist [~~registrations and~~] registration, expenditure and lobbying activity reports shall be kept and

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maintained on the secretary of state's lobbyist disclosure website and shall be available in searchable and downloadable formats.

C. With respect to the secretary of state's lobbyist disclosure website, all items in the records shall be easily searchable, sortable and downloadable by the public to the extent technically practicable.

D. The secretary of state shall ensure that contributions reported by persons pursuant to the Lobbyist Regulation Act are reported in a manner that is nonduplicative and as consistent as practicable with the reporting requirements of the Campaign Reporting Act. To the extent possible, the electronic reporting system used for registration and reporting required by the Lobbyist Regulation Act shall be integrated with the electronic reporting system used for compliance with the Campaign Reporting Act.

E. Reporting individuals under the Campaign Reporting Act shall receive automatic electronic notice of the contributions to them reported by lobbyists and lobbyists' employers within twenty-four hours of the filing of each expenditure report."

SECTION 3. EFFECTIVE DATE.--The effective date of the provisions of this act is January 1, 2025.