

1 SENATE BILL 218

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Jeff Steinborn and Mark Moores and Joy Garratt

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10 AN ACT

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

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

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

19 "[NEW MATERIAL] LOBBYING ACTIVITY REPORT.--

20 A. Prior to the adjournment of a legislative
21 session, a lobbyist or lobbyist's employer that is required to
22 file an expenditure report pursuant to Section 2-11-6 NMSA 1978
23 or registration statement pursuant to Section 2-11-3 NMSA 1978
24 shall file an activity report or reports with the secretary of
25 state that discloses the lobbyist's or lobbyist's employer's

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underscored material = new
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1 lobbying activity on legislation, including any lobbying on the
2 development of legislation prior to its introduction in a
3 legislative session, and that identifies the:

4 (1) specific legislation lobbied;

5 (2) lobbyist's or lobbyist's employer's
6 support, opposition or other position taken on the legislation
7 and whether the support, opposition or other position changed;
8 and

9 (3) name of the lobbyist's employer that
10 lobbied on the legislation, either directly or by the
11 registered lobbyist.

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

16 C. A lobbyist or lobbyist's employer is only
17 required to report lobbying activity on a piece of legislation
18 one time unless the lobbyist's or lobbyist's employer's
19 position on the legislation has changed, in which case the
20 lobbying activity for each change in position shall be
21 reported.

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

25 SECTION 2. Section 2-11-7 NMSA 1978 (being Laws 1977,

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1 Chapter 261, Section 7, as amended) is amended to read:

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

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

13 B. Lobbyist [~~registrations and~~] registration,
14 expenditure and lobbying activity reports shall be kept and
15 maintained on the secretary of state's lobbyist disclosure
16 website and shall be available in searchable and downloadable
17 formats.

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

22 D. The secretary of state shall ensure that
23 contributions reported by persons pursuant to the Lobbyist
24 Regulation Act are reported in a manner that is nonduplicative
25 and as consistent as practicable with the reporting

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1 requirements of the Campaign Reporting Act. To the extent
2 possible, the electronic reporting system used for registration
3 and reporting required by the Lobbyist Regulation Act shall be
4 integrated with the electronic reporting system used for
5 compliance with the Campaign Reporting Act.

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

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