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HOUSE BILL 85

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

Joy Garratt

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:

"[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 a registration statement pursuant to Section 2-11-3 NMSA
1978 shall file an activity report with the secretary of state
that discloses the lobbyist's or lobbyist's employer's lobbying

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1 activity on legislation, including any lobbying on the
2 development of legislation prior to its introduction in a
3 legislative session and any lobbying on the development of
4 legislation that was not introduced in a legislative session.
5 This lobbying activity report shall at minimum identify the:

6 (1) specific legislation lobbied;

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

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

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

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

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

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1 state.

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

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

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

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

18 B. Lobbyist ~~[registrations and]~~ registration,
19 expenditure and lobbying activity reports shall be kept and
20 maintained on the secretary of state's lobbyist disclosure
21 website and shall be available in searchable and downloadable
22 formats.

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

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1 the extent technically practicable.

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

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

16 SECTION 3. EFFECTIVE DATE.--The effective date of the
17 provisions of this act is January 1, 2026.