

LFC Requester:

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AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO****[AgencyAnalysis.nmlegis.gov](https://www.nmlegis.gov) and email to billanalysis@dfa.nm.gov*****(Analysis must be uploaded as a PDF)*****SECTION I: GENERAL INFORMATION***{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}***Date Prepared:** 1/20/2026*Check all that apply:***Bill Number:** HB 39Original ☒ Correction ☐Amendment ☐ Substitute ☐**Agency Name****and Code**AOC-218**Number:****Sponsor:** Kathleen Cates**Short** Crime of Ticket Scalping**Person Writing** Adam Leuschel**Title:****Phone:** 505-699-6451 **Email** aocapl@nmcourts.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
\$0	\$0		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
\$0	\$0	\$0		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	\$0	\$0	\$0			

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: HB 39 amends NMSA 1978, Section 30-46-1(A) to prohibit ticket scalping for events by the state, a political subdivision of the state, and 501(c)(3) nonprofit corporations. As currently written, Section 30-46-1(A) only prohibits ticket scalping for college athletic events.

There is no appropriation listed in this bill.

There is no effective date of this bill. It is assumed that the effective date is May 20, 2026, which is 90 days following adjournment of the Legislature.

FISCAL IMPLICATIONS

There will be a minimal administrative cost for statewide update, distribution and documentation of statutory changes. Any additional fiscal impact on the judiciary would be proportional to the enforcement of this law and commenced prosecutions, and appeals from convictions.

New laws, amendments to existing laws and new hearings have the potential to increase caseloads in the courts, thus requiring additional resources to handle the increase. Regardless, very few cases have been prosecuted under Section 30-46-1 in the last five years.

SIGNIFICANT ISSUES

Ticket scalping is the practice of reselling tickets to an event at a higher price than the price charged by the event venue. Ticket scalping is a widespread issue in the arts industry, including in New Mexico. In recent years, tickets at Popejoy Hall have been scalped for over five times their retail price. See <https://www.krqe.com/news/larry-barker/stealing-the-show-how-online-ticket-scalpers-target-new-mexicans/>. As the article explains, in addition to reselling tickets for much higher than retail price, scalpers often tack on hidden fees that further inflate the price.

Expanding the types of events at which ticket scalping is prohibited could potentially increase the number of defendants charged under NMSA 1978, Section 30-46-1. More defendants would require additional judge time, court staff time, and courtroom availability, and would increase the time required to dispose of cases.

PERFORMANCE IMPLICATIONS

The courts are participating in performance-based budgeting. This bill may have an impact on the measures of the courts in the following areas:

- Cases disposed of as a percent of cases filed
- Percent change in case filings by case type

ADMINISTRATIVE IMPLICATIONS

See “fiscal implications” above.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS