

## AGENCY BILL ANALYSIS – 2026 SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO  
[AgencyAnalysis.nmlegis.gov](mailto:AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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: 20 JAN 2026 Check all that apply:  
 Bill Number: HB 39 Original  Correction   
 Amendment  Substitute

Sponsor: Kathleen Cates  
 Short  
 Title: Ticket Scalping

Agency Name  
 and Code  
 Number: 790 – Department of Public Safety  
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**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
NFI	NFI	N/A	N/A
NFI	NFI	N/A	N/A

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
NFI	NFI	NFI	N/A	N/A
NFI	NFI	NFI	N/A	N/A

(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	NFI	NFI	NFI	NFI	N/A	N/A

(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: House Bill 39 amends New Mexico's ticket scalping statute to expand the types of events covered by the offense. The bill expands the existing prohibition to include events presented by the state, its political subdivisions, or qualifying nonprofit organizations, in addition to the current focus on college athletic events. It continues to define ticket scalping as selling or offering tickets for more than the original price charged or printed, with each unlawful sale treated as a separate offense, while allowing authorized service fees under contract. A violation remains a misdemeanor punishable by up to a \$500 fine, less than one year of imprisonment, or both.

### **FISCAL IMPLICATIONS**

There are no additional fiscal implications to DPS.

### **SIGNIFICANT ISSUES**

No significant issues to DPS.

### **PERFORMANCE IMPLICATIONS**

No performance implications to DPS

### **ADMINISTRATIVE IMPLICATIONS**

There are no administrative implications to DPS.

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

No conflict, duplication, companionship, or related issues to DPS.

### **TECHNICAL ISSUES**

No technical issues to DPS.

### **OTHER SUBSTANTIVE ISSUES**

No other substantive issues to DPS.

### **ALTERNATIVES**

Not applicable as no impact to DPS.

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status Quo Will Remain.

Events hosted by governmental entities, state educational institutions, and non-profit organizations generally aim to serve the public or for a charitable purpose. Scalping by third parties diverts the purpose from those aims to a profit-driven aim by that third party. The public purchases event tickets and attends events to strengthen the organization or support its mission. Scalping tickets for such events not only diverts the public's financial contributions but may also erode public trust if the funds result in personal gain by a third party rather than for the purpose for which they were given.

### **AMENDMENTS**

None at this time.