

LFC Requester:

Kelly Klundt

## AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

### 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 102

Original x

Correction       

Amendment       

Substitute       

**Sponsor:** Rep. Cristina Parajón

**Agency Name and** 305 – New Mexico

**Code Number:** Department of Justice

**Person Writing**

**Analysis:** Nicole Sanchez

**Short**

**Title:** Legislative Compensation

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### SECTION II: FISCAL IMPACT

#### APPROPRIATION (dollars in thousands)

| Appropriation |      | Recurring<br>or Nonrecurring | Fund<br>Affected |
|---------------|------|------------------------------|------------------|
| FY26          | FY27 |                              |                  |
|               |      |                              |                  |
|               |      |                              |                  |

(Parenthesis ( ) indicate expenditure decreases)

#### REVENUE (dollars in thousands)

| Estimated Revenue |      |      | Recurring<br>or<br>Nonrecurring | Fund<br>Affected |
|-------------------|------|------|---------------------------------|------------------|
| FY26              | FY27 | FY28 |                                 |                  |
|                   |      |      |                                 |                  |
|                   |      |      |                                 |                  |

(Parenthesis ( ) indicate revenue decreases)

#### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

|              | FY26 | FY27 | FY28 | 3 Year<br>Total Cost | Recurring or<br>Nonrecurring | Fund<br>Affected |
|--------------|------|------|------|----------------------|------------------------------|------------------|
| <b>Total</b> |      |      |      |                      |                              |                  |

(Parenthesis ( ) Indicate Expenditure Decreases)

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

### **SECTION III: NARRATIVE**

*This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator's request. The analysis does not represent any official policy or legal position of the NM Department of Justice.*

### **BILL SUMMARY**

**Synopsis:** HB 102 proposes to add a new section to Chapter 2, Article 1 to allow for legislative compensation, with the option for legislators to refuse compensation or an increase in compensation. If approved, this bill would be contingent upon the secretary of state's certification that the corresponding constitutional amendment is approved by the voters in a general election.

Section 1: HB 102 proposes to amend Chapter 2, Article 1 to allow for legislative compensation while a legislator is seated and sworn in as a legislator, based initially on the 2027 annual median household income for New Mexico. Legislative compensation would be "adjusted upward or downward every four years by the most recent reported median household income for New Mexico." Legislators may choose to refuse compensation or an increase in compensation by filing a signed notice of refusal with the chief clerk of the legislator's chamber. This refusal may be withdrawn at any time after a legislative session by the same process, but the new compensation is prospective only and begins with the first full pay period after notice has been received. The statute notes "[l]egislators shall not be considered state employees for any purpose by virtue of their receiving the compensation."

Section 2: If approved, this bill would be contingent upon the secretary of state's certification that the constitutional amendment proposed in HJR 5 is approved by the voters in a general election. HB 102 proposes an effective date of January 16, 2029.

### **FISCAL IMPLICATIONS**

None.

### **SIGNIFICANT ISSUES**

The bill allows for legislative compensation but does not address existing per diem payments legislators receive, although companion legislation HJR 5 retains the per diem payments.

### **PERFORMANCE IMPLICATIONS**

None.

### **ADMINISTRATIVE IMPLICATIONS**

None.

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

Companion legislation HJR 5 proposes to amend Article IV, Section 10 of the New Mexico

Constitution to allow legislative compensation “in an amount equal to the annual median household income for New Mexico as initially determined and adjusted thereafter by the rise or fall of the median household income for New Mexico.”

#### **TECHNICAL ISSUES**

Section 1 proposes a new section of Chapter 2, Article 1 NMSA 1978. For purposes of clarity, consider including the proposed section number for this new material.

#### **OTHER SUBSTANTIVE ISSUES**

None.

#### **ALTERNATIVES**

It may be intentional or inadvertent, but the resolution proposes an income for a single legislator to match the annual median *household* income. This is not an unreasonable figure and may have been intentional. If inadvertent, however, an amendment to propose an income for a single legislator to match the annual median income for individuals or professionals or some other designation may be appropriate.

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

Status quo.

#### **AMENDMENTS**

None to note.