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: 1/27/2026

Bill Number: HB 164

Check all that apply:

Original X   Correction ____

Amendment ____   Substitute ____

Sponsor: Rep. Sarah Silva

Short Title: LOBBYING ACTIVITY REPORTS

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	**FY27**		

(Parenthesis ( ) indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	**FY27**	**FY28**		

(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						

(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 164 introduces a new section to the Lobbyist Regulation Act and amends NMSA 1978 Sec. 2-11-7.

Section 1 includes the following new material:

Subsection A creates a new section of the Lobbyist Regulation Act (Act) requiring a lobbyist or their employer who is required to file an expenditure report or registration statement to also file a lobbying activity report (or reports as needed) with the Secretary of State after commencing lobbying activity detailing: 1) the specific legislation lobbied; 2) the lobbyist's and their employer's position on the legislation and whether it changed; and 3) the name of the lobbyist's employer that lobbied on the legislation (either directly or through the lobbyist).

Subsection B requires a lobbyist or lobbyist's employer to file a lobbying activity report if the lobbyist begins lobbying after the legislative session has ended but prior to the deadline of when the Governor may make a decision on the legislation.

Subsection C only requires a lobbyist or their employer to file one lobbying activity report per piece of legislation but does require a new report if the lobbyist or employer changes position on the legislation.

Subsection D requires that the lobbying activity report be filed within 48 hours of commencing lobbying activity in the format and manner required by rule, which is promulgated by the Secretary of State.

Section One Subsection E requires the lobbying activity report for each piece of legislation to be included or linked to the Legislature's website for that piece of legislation.

Section Two of HB 164 amends NMSA 1978, Section 2-11-7 to add the new lobbying activity reports to this section's requirement that the Secretary of State publish reports filed by lobbyists under the Lobbyist Regulation Act.

Section Three of the Bill sets an effective date of January 1, 2027.

FISCAL IMPLICATIONS

None

SIGNIFICANT ISSUES

None

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

None

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

It is unclear whether HB 164 is meant to substitute HB 35 or is simply a slightly altered duplicate of HB 35. However, HB 35 is still active and therefore there will be a conflict if both pass.

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

None