

LFC Requester:

Esquibel, RubyAnn

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.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: 2/10/2026

Check all that apply:

Bill Number: HB 164

Original Correction

Amendment Substitute

Agency Name and Code

Number:

Sponsor: Sarah Silva

Secretary of State - 370

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: HB 35
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

The House Judiciary Committee Substitute for House Bill 164 creates a new section to the Lobbyist Reporting Act that would require lobbyists to file a “lobbying activity report” or reports with the Secretary of State’s Office (SOS) that disclose the lobbyist’s employer’s lobbying activity on legislation that has been introduced, including any lobbying on the development of legislation prior to its introduction in a legislative session.

If passed, the lobbying activity report would include specific legislation lobbied; lobbyist’s employer’s support, opposition or other position taken on the legislation; and name of the lobbyist’s employer that lobbied on the legislation, either directly or through the employer’s authorized lobbyist.

Lobbyists or lobbyist employers would be required to file the reports within 48 hours of the commencement of lobbying activity and grants the secretary of state rulemaking authority as to the prescribed format for the report. The committee substitute for HB 164 makes it clear that the filing of duplicate reports is not required. The lobbyist or the lobbyist employer shall file a report, but not both, for the same activity.

The lobbying activity reported for each specific piece of legislation shall be included or linked on the legislature’s website for that specific piece of legislation.

The bill requires retention of lobbyist activity reports for ten years after filing and includes an effective date of January 1, 2027.

FISCAL IMPLICATIONS

HB 164 creates a new reporting requirement for lobbyists that would be filed electronically with the SOS. If passed, these technical requirements could be incorporated in the scoping and development of a new ethics e-file system that is already underway.

If passed, the SOS will have additional administration duties associated with system maintenance, education and compliance. The full funding of the SOS’s budget request is necessary to keep up with the volume of work associated with all of the statutory duties supported by the office.

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

The SOS appreciates the delayed effective date included in the bill of January 1, 2027. This should allow for the secure and successful implementation of HB 164's provisions.

ADMINISTRATIVE IMPLICATIONS

The implementation of a link on the legislature's website to a specific report filed by a lobbyist would require new, ongoing coordination with Legislative Council Services, as the SOS does not maintain the nmlegis.gov website.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The Secretary of State's Office will continue to administer lobbyist ethics filings in accordance with state statute.

AMENDMENTS