

LFC Requester:	
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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: 2/02/2026 *Check all that apply:*
Bill Number: HB 260 Original Correction
 Amendment Substitute

Sponsor:	<u>Randall T. Pettigrew and John Block</u>	Agency Name and Code Number:	<u>Administrative Office of the District Attorneys 264</u>
Short Title:	<u>CRIME OF FALSE STATEMENT TO LEGISLATURE</u>	Person Writing	<u>Troy J. Davis</u>
		Phone:	<u>505-385-8461</u> Email <u>Davistr@msn.com</u>

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

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

BILL SUMMARY

Synopsis: House Bill 260 establishes the crime of making a false material statement to the legislature. This offense is defined by the following elements. A person must make a statement they know to be untrue. The statement must be made during a proceeding before the legislature, which includes hearings for both standing and interim committees. The statement must relate to an issue or matter the person was requested to testify about. The crime applies regardless of whether the individual is under oath, affirmation, or subject to the penalty of perjury

These provisions do not apply to statements made by members of the public during designated public comment periods at committee hearings.

A legislator who hears the testimony in question has the authority to refer the matter to the district attorney in the district where the statement was made.

A person found guilty of making a false material statement to the legislature is charged with a fourth degree felony.

FISCAL IMPLICATIONS

More resources for the 1st judicial district attorney office.

SIGNIFICANT ISSUES

The person should be advised ahead of time of the crime of untruth statements to the legislature to ensure that the person is aware of the consequences of an untrue statement. A prosecutor would have to prove beyond a reasonable doubt that the person gave a untruth statement which could be a very subjective,

Under perjury charges a person must give false statement to a material element. This statute should define a “material element “.

Nobody would want to testify in front of legislature in fear of being retaliation for one who believes an untruth statement. Greatest fear that the process would be politicized and there would be a flood of referrals to the 1st district attorney’s office.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

None

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None

TECHNICAL ISSUES

None

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo