

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: HJR 5

Original ☒

Correction ☐

Amendment ☐

Substitute ☐

Sponsor: Reps. Cristina Parajón and
Angelica Rubio

Agency Name and Code Number: 305 – New Mexico
Department of Justice

**Short
Title:**

Person Writing

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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:

Section 1: This Joint Resolution proposes to amend the Constitution of New Mexico, Article 4, Section 10, to allow members of the Legislature to receive 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.” Section 1 also replaces “shall receive” with “is entitled to receive” in connection with per diems and annual compensation and modifies how the subsections are designated.

Section 2: If approved, this amendment is proposed to be submitted to the people to vote for approval or rejection at the 2028 general election to be effective for legislative members seated and sworn in for the 59th legislature (2028).

FISCAL IMPLICATIONS

None.

SIGNIFICANT ISSUES

HJR 5 Section 2 states that the proposed amendment “shall be submitted to the people for their approval at the 2028 general election.” This proposed section may violate the Constitution of New Mexico, which requires constitutional amendments to be voted upon at the next regular election or at a special election within six months after adjournment of the legislative session. *See* N.M. const. art. XIX, § 1. If the Legislature approves HJR 5, it may need to be on the ballot for either the next regular election on November 3, 2026, or within six months after the adjournment of the 2026 legislative session, no later than August 20, 2026.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Companion bill HB 102 proposes to add a section to Chapter 2, Article 1 to allow legislative compensation, as determined by the annual median household income for New Mexico. In addition, HB 102 would allow legislators to refuse compensation. The effective date would be contingent upon the approval of the constitutional amendment proposed in HJR 5.

TECHNICAL ISSUES

None.

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.