

State of New Mexico
House of Representatives

FIFTY-SEVENTH LEGISLATURE
SECOND SESSION

February 14, 2026

HOUSE FLOOR AMENDMENT number _____ to HOUSE JUDICIARY COMMITTEE
SUBSTITUTE FOR HOUSE BILL
164

Amendment sponsored by Representative

1. On page 1, line 13, after the semicolon, insert "REVISING DEFINITIONS IN THE LOBBYIST REGULATION ACT;".

2. On page 2, between lines 18 and 19, insert:

"SECTION 2. Section 2-11-2 NMSA 1978 (being Laws 1977, Chapter 261, Section 2, as amended) is amended to read:

"2-11-2. DEFINITIONS.--As used in the Lobbyist Regulation Act:

A. "compensation" means any money, per diem, salary, fee or portion thereof or the equivalent in services rendered or in-kind contributions received or to be received in return for lobbying services performed or to be performed;

B. "expenditure" means a payment, transfer or distribution or obligation or promise to pay, transfer or distribute any money or other thing of value, but does not include a lobbyist's own personal living expenses and the expenses incidental to establishing and maintaining an office in connection with lobbying activities or compensation paid to a lobbyist by a lobbyist's employer;

C. "legislative committee" means a committee created by the legislature, including interim and standing committees of the legislature;

D. "lobbying" means attempting to influence:

(1) a decision related to any matter to be considered

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or being considered by the legislative branch of state government or any legislative committee or any legislative matter requiring action by the governor or awaiting action by the governor; or

(2) an official action;

E. "lobbyist" means any individual who is compensated for the specific purpose of lobbying; is designated by an interest group or organization to represent it on a substantial or regular basis for the purpose of lobbying; is employed by or is a board member of a nonprofit corporation and engages in lobbying to any degree; or in the course of [~~his~~] employment, is engaged in lobbying on a substantial or regular basis. "Lobbyist" does not include:

(1) an individual who appears on [~~his~~] the individual's own behalf in connection with legislation or an official action;

(2) [~~any~~] an elected or appointed officer of the state or its political subdivisions or an Indian tribe or pueblo acting in [~~his~~] the officer's official capacity;

(3) an employee of the state or its political subdivisions, specifically designated by an elected or appointed officer of the state or its political subdivision, who appears before a legislative committee or in a rulemaking proceeding only to explain the effect of legislation or a rule on [~~his~~] the designated employee's agency or political subdivision, provided the elected or appointed officer of the state or its political subdivision keeps for public inspection and files with the secretary of state such designation;

(4) [~~any~~] a designated member of the staff of an elected state official, provided the elected state official keeps for public inspection and files with the secretary of state such designation;

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(5) a member of the legislature, the staff of ~~[any]~~ a member of the legislature or the staff of ~~[any]~~ a legislative committee when addressing legislation;

(6) ~~[any]~~ a witness called by a legislative committee or administrative agency to appear before that legislative committee or agency in connection with legislation or an official action;

(7) an individual who provides only oral or written public testimony in connection with a legislative committee or in a rulemaking proceeding and whose name and the interest on behalf of which ~~[he]~~ the individual testifies have been clearly and publicly identified; or

(8) a publisher, owner or employee of the print media, radio or television, while gathering or disseminating news or editorial comment to the general public in the ordinary course of business;

F. "lobbyist's employer" means the person whose interests are being represented and by whom a lobbyist is directly or indirectly retained, compensated or employed;

G. "nonprofit corporation" means an organization subject to the provisions of the Nonprofit Corporation Act;

~~[G.]~~ H. "official action" means the action or nonaction of a state official or state agency, board or commission acting in a rulemaking proceeding;

~~[H.]~~ I. "person" means an individual, partnership, association, committee, federal, state or local governmental entity or agency, however constituted, public or private corporation or any other organization or group of persons who are voluntarily acting in concert;

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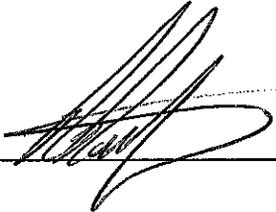
[~~F~~] J. "political contribution" means a gift, subscription, loan, advance or deposit of [~~any~~] money or other thing of value, including the estimated value of an in-kind contribution, that is made or received for the purpose of influencing a primary, general or statewide election, including a constitutional or other question submitted to the voters, or for the purpose of paying a debt incurred in any such election;

[~~F~~] K. "prescribed form" means a form prepared and prescribed by the secretary of state;

[~~K~~] L. "rulemaking proceeding" means a formal process conducted by a state agency, board or commission for the purpose of adopting a rule, regulation, standard, policy or other requirement of general applicability and does not include adjudicatory proceedings; and

[~~F~~] M. "state public officer" means a person holding a statewide office provided for in the constitution of New Mexico."".

3. Renumber the succeeding sections accordingly.



Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____