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FISCAL IMPACT REPORT

BILL NUMBER: CS/House Bill 164/HJCS

SHORT TITLE: Lobbying Activity Reports

SPONSOR: House Judiciary Committee

LAST ORIGINAL
UPDATE: 2/10/2026 **DATE:** 1/29/2026 **ANALYST:** Esquibel

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		Minimal	Minimal		Recurring	General Fund

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Relates to House Bill 35, Lobbying Activity Reports.

Sources of Information

LFC Files

Agency or Agencies Providing Analysis

Attorney General's Office

Secretary of State

State Ethics Commission

SUMMARY

Synopsis of HJC Substitute

The House Judiciary Committee substitute for House Bill 164 (HB164/HJCS) 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.

The bill proposes that lobbying activity report 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.

HBC164/HJCS also clarifies that filing of duplicate reports is not required; the lobbyist or the lobbyist employer, but not both, shall file a report for the same activity. The lobbying activity reported for each specific piece of legislation shall be included or linked to on the Legislature's

website for that specific piece of legislation.

The bill requires retention of lobbyist activity reports for 10 years after filing and includes an effective date of January 1, 2027

FISCAL IMPLICATIONS

SOS reports HB164/HJCS creates a new reporting requirement for lobbyists that would be filed electronically with the SOS. If passed, the filing and storage of the reports could be incorporated in the scope and development of a new ethics e-file system that is in the process of development.

SIGNIFICANT ISSUES

The State Ethics Commission, which investigates and adjudicates allegations of administrative violations of the Lobbyist Regulation Act, reports the Act is in need of updating:

New Mexico's lobbyist regulation laws currently rank among the least effective in the country. In 2022, OpenSecrets ranked New Mexico 41st nationwide in its analysis of lobbyist disclosure laws. If enacted, HB164/HJCS would follow a trend in other states of increased disclosure.

ADMINISTRATIVE IMPLICATIONS

SOS reports the implementation of a website link on the Legislature's website to a specific report filed by a lobbyist would require new, ongoing coordination with Legislative Council Services.

The bill would grant SOS rulemaking authority as to the prescribed format for the lobbying activity reports.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB164 is similar to House Bill 35, which has fewer reporting requirements but requires an additional lobbying report covering legislation lobbied, including before being introduced during a legislative session, as well as listing the position of the lobbyist and lobbyist's employer.

HB164 is similar to House Bill 143 introduced during the 2025 regular legislative session, which was passed by the House and Senate and vetoed by the governor.

RAE/sgs/hg/sgs/dw