

LFC Requester:

Emily Hilla

AGENCY BILL ANALYSIS
2024 REGULAR SESSION

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original x Amendment
Correction Substitute

Date Prepared: 22 January 2024

Bill No: HB85

Sponsor: Rep. Joy Garratt

Short Title: Lobbying Activity Report Requirements

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	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

House Bill (“HB”) 85 would amend the Lobbyist Registration Act (“the Act”), NMSA 1978, Chapter 2, Art. 11. A new section of the Act would require lobbyists to file a report with the Secretary of State prior to the end of the legislative session detailing 1) the specific legislation lobbied, 2) the lobbyist’s or lobbyist’s employer’s support, opposition, or other position on the legislation, and 3) the name of the lobbyist’s employer that lobbied (either directly or through the lobbyist). The bill also contains a provision to extend the filing deadline if lobbying is conducted after the adjournment of the legislative session (extending to the deadline for the Governor to act on legislation).

HB 85 additionally amends NMSA 1978, § 2-11-7 to reflect the addition of the lobbying activity report.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

No significant issues. This version of the bill removed the significant issue raised by the Office of Attorney General in the previous iteration (SB 218) introduced in the 2023 Regular Session.

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

None

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No related/conflicting/duplicate/companionate bills at this time.

TECHNICAL ISSUES

The Bill as currently written provides:

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
Section 1. A new section of the Lobbyist Regulation Act is enacted to read:

It would be helpful to readers to have the bill written instead as:

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
Section 1. A new section of the Lobbyist Regulation Act, NMSA 1978, Chapter 2, Article 11, is enacted to read:

OTHER SUBSTANTIVE ISSUES

No other substantive issues.

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

See Technical Issues, *supra*.