STATE ETHICS COMMISSION

http://sec.nm.gov

800 Bradbury Dr. SE
Suite 215
Albuquerque, NM 87106
(505) 827-7800

BUDGET REQUEST
Fiscal Year 2028
July 1, 2027 - June 30, 2028

STATE OF NEW MEXICO

Prepared By:
Jeremy D. Farris, Executive Director and
Wendy George, Finance & Administration Director

STATE ETHICS COMMISSION
Jeremy Farris, Executive Director
800 Bradbury Drive Southeast, Suite 215
Albuquerque, NM 87106
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September 1, 2026

Via electronic mail only

Dear Department of Finance & Administration and Legislative Finance Committee:

Please find enclosed the State Ethics Commission's FY28 appropriation request.

The State Ethics Commission is an independent, constitutional state agency created by Article V, Section 17 of the New Mexico Constitution. The Commission promotes integrity in government through the interpretation, enforcement, and improvement of New Mexico's campaign finance, lobbying, procurement, governmental conduct, and related ethics and disclosure laws. The Commission also enforces the Revised Uniform Law on Notarial Acts (RULONA) and provides education, training, advisory opinions, and recommendations for improving New Mexico's ethics laws.

For FY28, the Commission respectfully requests an appropriation of **$2,159,200**. This request includes **$148,000 for one additional attorney FTE** to address the Commission's growing enforcement workload and backlog of RULONA matters. The request also includes **$80,000 for increased personnel costs**, **$5,000 for increased hearing officer expenses**, and **$10,000 for software agreements, licenses, subscriptions, and dues**.

Excluding the additional attorney FTE, these increases total **$95,000, or approximately 5% above FY27 recurring funding**. Although the total FY28 request is approximately 12% above FY27 because of the additional FTE, the underlying base-budget increase is modest and is driven primarily by unavoidable personnel, contractual, and operating costs. Full funding will allow the Commission to maintain its existing ten-person workforce, meet its legal and statutory obligations, and respond to increasing demands without compromising its core functions.

Additional Attorney FTE and RULONA Workload

Among its challenges, the Commission confronts a significant current capacity challenge in its ability to timely process complaints under RULONA. Since FY22, the Commission has received, investigated, or prosecuted more than **96 notary-related matters**, including **26 matters received in FY26**. The volume and complexity of these matters have created a growing enforcement workload and backlog.

The requested attorney FTE would focus exclusively on enforcement. This targeted investment would allow the Commission's current compliance attorney—who presently divides approximately 60% of their time between compliance and 40% enforcement—to focus exclusively on compliance. The new attorney would assume enforcement responsibilities, increasing overall enforcement capacity while allowing the Commission to improve its ability to meet statutory timelines and reduce the RULONA backlog.

Accomplishments and Public Impact

The Commission continues to demonstrate that its relatively small appropriation produces significant public value. During the past year, the Commission achieved several notable enforcement and compliance successes, including:

- Securing a jury verdict finding the former mayor of Angel Fire knowingly violated the Procurement Code, resulting in cancellation and competitive rebidding of an unlawful $1 million contract, recovery of improperly prepaid public funds, and settlements with other parties.
- Requiring Elevate New Mexico to disclose $3.67 million in funding and more than $419,000 in spending associated with an advertising campaign concerning Project Jupiter, bringing previously undisclosed efforts to influence state officials into public view.
- Making significant progress in enforcing the Nondisclosure of Sensitive Personal Information Act, including establishing the Commission's authority to proceed against the Corrections Department and filing an action to halt alleged unlawful disclosures.
- Investigating and adjudicating **58 administrative complaints** alleging violations of New Mexico's ethics and disclosure laws.
- Resolving additional Governmental Conduct Act matters through pre-litigation settlements.
- Providing **16 training courses**, issuing **16 advisory opinions and 32 advisory letters**, and expanding the Commission's capacity through staffing, contract counsel, and student fellowship programs.

These accomplishments reflect the Commission's broad constitutional and statutory responsibilities and the importance of maintaining sufficient resources for both compliance and enforcement.

Base Budget Justification

The Commission does not anticipate or seek programmatic changes for FY28 and does not seek changes to its current performance metrics. The Commission's existing structure remains centered on compliance, enforcement, and administrative services.

The requested 5% base-budget increase, excluding the additional attorney FTE, is necessary to maintain current operations. The principal cost drivers are:

- **Personnel salaries and benefits**, including increased healthcare premiums and other fixed personnel costs.
- **Hearing officer services**, which are expected to increase by approximately 50% because of higher Administrative Hearings Office referral fees, hourly rates, per-case fees, and the Commission's increasing caseload.
- **Software, licenses, subscriptions, and professional dues** necessary to support the Commission's legal, enforcement, compliance, and regulatory functions.

The Commission historically maintains low reversions, reflecting careful management and the limited discretionary nature of its budget. The FY28 base request is therefore not driven by program expansion, but by unavoidable increases in personnel, contractual, technology, and operating costs. Full funding is necessary to preserve operational continuity and enable the Commission to fulfill its constitutional and statutory responsibilities.

The Commission respectfully requests your continued support for its FY28 appropriation. The Legislature's sustained investment has allowed the Commission to build a capable and fiscally responsible organization while responding to increasingly complex ethics, disclosure, procurement, and notarial matters. Full funding of the FY28 request will allow the Commission to maintain its current operations, address its RULONA backlog, strengthen enforcement capacity, and continue serving the people of New Mexico with integrity, transparency, and accountability.

If you have any questions regarding the FY28 request, please do not hesitate to contact me or Wendy George, the Commission's CFO and Director of Finance and Administration.

Sincerely,

/s/ *Jeremy Farris*
Jeremy Farris
Executive Director
State Ethics Commission

APPROPRIATION REQUEST

CERTIFICATION
FORM S-1

Agency Name: State Ethics Commission Business Unit: 41000

I hereby certify that the accompanying summary and detailed statements are true and correct to the best of my knowledge and belief and that the arithmetic accuracy of all numeric information has been verified.

Jeremy D Farris

Jeremy Farris, Executive Director

Celia Foy Castillo

Celia Foy Castillo, Chair

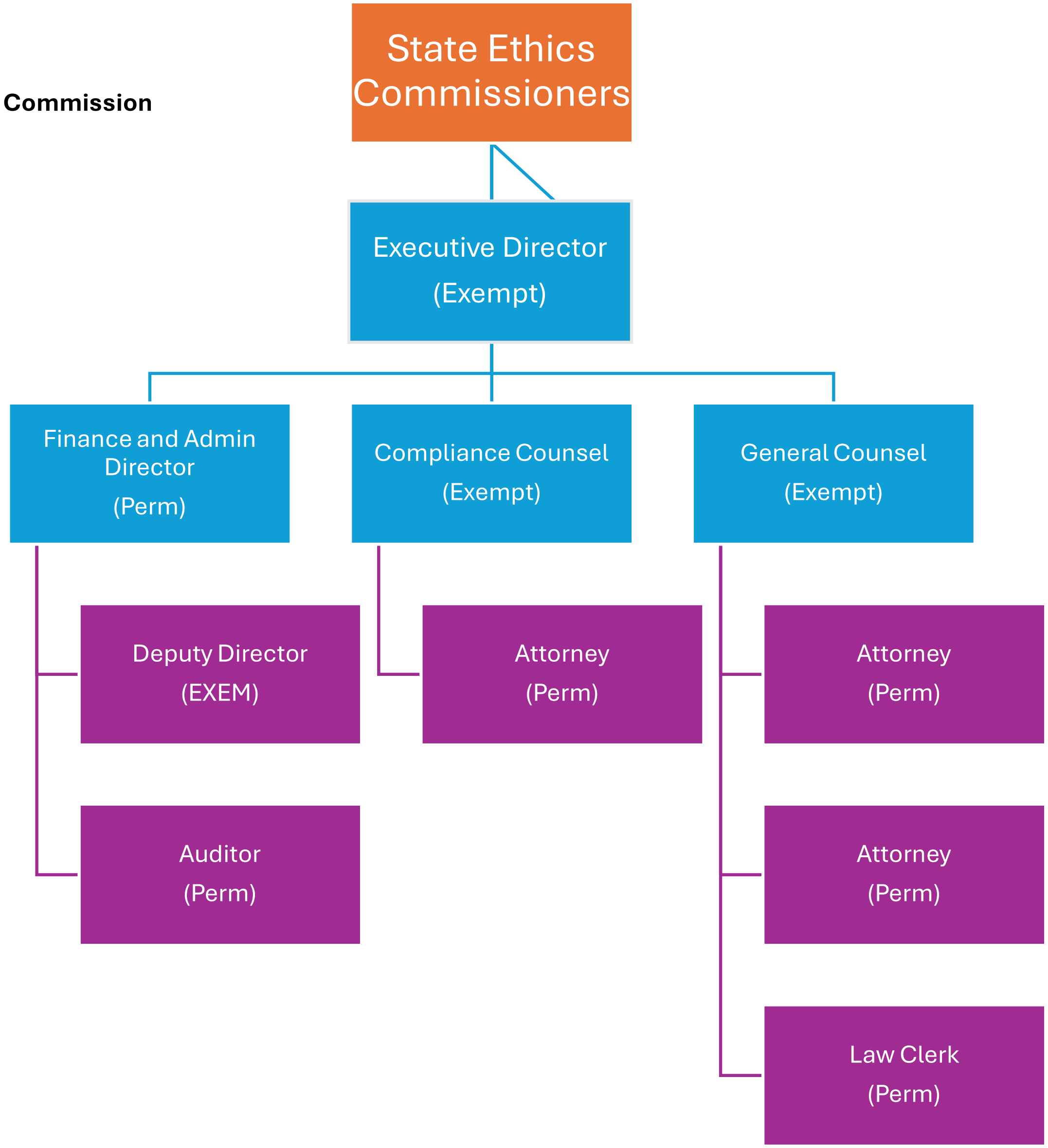
Wendy George

Wendy George, Finance and Administration Director, CFO

800 Bradbury Dr. SE, Suite 215 Albuquerque, NM 87106	505-554-7608	wendyj.george@sec.nm.gov

Note: Appropriation Requests for agencies headed by a board or commission must be approved by the board or commission by official action and signed by the chairperson. Operating Budgets of other agencies must be signed by the director or secretary. Appropriation Requests not properly signed will be returned.

State Ethics Commission
FY28



State Ethics Commission

BU	PCode	Department
41000	P410	000000

State of New Mexico

S-8 Financial Summary

(Dollars in Thousands)

	2025-26 Opbud	2025-26 Actuals	2026-27 Opbud	2027-28 PCF Proj	-------- FY 2028 Agency Request -------- Base	Expansion	Total
REVENUE							
111 General Fund Transfers	1,858.3	1,802.3	1,916.2	0.0	2,154.2	0.0	2,154.2
112 Other Transfers	0.0	86.5	0.0	0.0	0.0	0.0	0.0
130 Other Revenues	5.0	5.0	5.0	0.0	5.0	0.0	5.0
REVENUE, TRANSFERS	**1,863.3**	**1,893.8**	**1,921.2**	**0.0**	**2,159.2**	**0.0**	**2,159.2**
REVENUE	**1,863.3**	**1,893.8**	**1,921.2**	**0.0**	**2,159.2**	**0.0**	**2,159.2**
EXPENSE							
200 Personal services and employee benefits	1,567.0	1,532.9	1,610.6	1,774.5	1,838.6	0.0	1,838.6
300 Contractual services	151.9	147.9	120.0	0.0	125.0	0.0	125.0
400 Other	144.4	168.1	190.6	0.0	195.6	0.0	195.6
EXPENDITURES	**1,863.3**	**1,848.9**	**1,921.2**	**1,774.51**	**2,159.2**	**0.0**	**2,159.2**
EXPENSE	**1,863.3**	**1,848.9**	**1,921.2**	**1,774.51**	**2,159.2**	**0.0**	**2,159.2**
FTE POSITIONS							
810 Permanent	10.00	14.00	10.00	13.00	11.00	0.00	11.00
FTEs	**10.00**	**14.00**	**10.00**	**13.00**	**11.00**	**0.00**	**11.00**
FTE POSITIONS	**10.00**	**14.00**	**10.00**	**13.00**	**11.00**	**0.00**	**11.00**

State Ethics Commission

State of New Mexico

S-8 Financial Summary by Fund Level

(Dollars in Thousands)

BU	Fund
41000	20780

	2025-26 Opbud	2025-26 Actuals	2026-27 Opbud	2027-28 PCF Proj	-------- FY 2028 Agency Request -------- Base	Expansion	Total
REVENUE							
111 General Fund Transfers	1,858.3	1,802.3	1,916.2	0.0	2,154.2	0.0	2,154.2
112 Other Transfers	0.0	86.5	0.0	0.0	0.0	0.0	0.0
130 Other Revenues	5.0	5.0	5.0	0.0	5.0	0.0	5.0
REVENUE, TRANSFERS	**1,863.3**	**1,893.8**	**1,921.2**	**0**	**2,159.2**	**0.0**	**2,159.2**
REVENUE	**1,863.3**	**1,893.8**	**1,921.2**	**0**	**2,159.2**	**0.0**	**2,159.2**
EXPENSE							
200 Personal services and employee benefits	1,567.0	1,532.9	1,610.6	1,774.5	1,838.6	0.0	1,838.6
300 Contractual services	151.9	147.9	120.0	0.0	125.0	0.0	125.0
400 Other	144.4	168.1	190.6	0.0	195.6	0.0	195.6
EXPENDITURES	**1,863.3**	**1,848.9**	**1,921.2**	**1,774.51**	**2,159.2**	**0.0**	**2,159.2**
EXPENSE	**1,863.3**	**1,848.9**	**1,921.2**	**1,774.51**	**2,159.2**	**0.0**	**2,159.2**
FTE POSITIONS							
810 Permanent	10.00	14.00	10.00	13.00	11.00	0.00	11.00
FTEs	**10.00**	**14.00**	**10.00**	**13.00**	**11.00**	**0.00**	**11.00**
FTE POSITIONS	**10.00**	**14.00**	**10.00**	**13.00**	**11.00**	**0.00**	**11.00**

STATE ETHICS COMMISSION (410)
FY28 RECURRING GENERAL FUND: AGENCY APPROPRIATION REQUEST
CHANGES BY PROGRAM AND CATEGORY

State Ethics Commission (P410)	Salaries and Benefits (200's)	Contractual Services (300's)	Other (400's)	Other Financing Uses (500's)	TOTAL
FY27 Operating Budget: General Fund	**$1,610.6**	**$120.0**	**$185.6**	**$0.0**	**$1,916.2**
Increases (Decreases)					
520300 Classified Perm Postion - cover salary for existing employees. BFM PCF proj - vac savings = 633.8 / FY27 557.0	$30.0				**$30.0**
520100 Exempt Perm Postion - cover salary for existing employees. BFM PCF proj - vac savings = 712.3 / FY27 584.8	$50.0				**$50.0**
535209 Professional Services Interagency - AHO price increase for hearing officer services. Critical to business operations for litgated casework.		$5.0			**$5.0**
543830 Software Agreements - Westlaw legal subscription software contract increase effective 12/1/2026. Critical to business operations for legal staff.			$5.0		**$5.0**
546700 Subscriptions / Dues / Licenses increase in costs: see spreadsheet for breakdown.			$5.0		**$5.0**
					$0.0
EXPANSION ADD 1 FTE ATTORNEY .					**$0.0**
520200 Class Perm Position Attorney LLLA45 Salary	$108.9				**$108.9**
521200 PERA	$20.9				**$20.9**
521300 FICA	$8.3				**$8.3**
521100 RHCA	$2.2				**$2.2**
Health / Vision / Dental	$7.7				**$7.7**
General fund increase/decrease #13 description					**$0.0**
General fund increase/decrease #14 description					**$0.0**
General fund increase/decrease #15 description					**$0.0**
FY28 Request: General Fund	**$1,838.6**	**$125.0**	**$195.6**	**$0.0**	**$2,159.2**
$ increase over FY27	$228.0	$5.0	$10.0	$0.0	**$243.0**
% increase over FY27	14.2%	4.2%	5.4%	#DIV/0!	**12.7%**

(Dollars in Thousands)

		2025-26 Opbud	2025-26 Actuals	2026-27 Opbud	2027-28 PCF Proj	-------- FY 2028 Agency Request -------- Base	Expansion	Total
520100	Exempt Perm Positions P/T&F/T	568.7	600.4	584.8	637.8	638.0	0.0	638.0
520300	Classified Perm Positions F/T	595.9	504.2	557.0	710.1	711.5	0.0	711.5
520500	Temporary Positions F/T & P/T	0.0	14.3	0.0	1.5	0.0	0.0	0.0
520600	Paid Unused Sick Leave	0.0	0.5	0.0	0.0	0.0	0.0	0.0
520700	Overtime & Other Premium Pay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
520710	Longevity Pay	0.0	6.3	0.0	0.0	7.8	0.0	7.8
521100	Group Insurance Premium	51.8	76.6	111.6	89.4	87.7	0.0	87.7
521200	Retirement Contributions	218.6	213.7	239.5	229.0	244.1	0.0	244.1
521300	F I C A	91.7	84.4	77.3	82.9	98.6	0.0	98.6
521400	Workers' Comp Assessment Fee	0.1	0.1	0.1	0.0	0.1	0.0	0.1
521410	GSD Work Comp Insur Premium	1.2	1.2	1.1	0.0	1.9	0.0	1.9
521500	Unemployment Comp Premium	0.0	0.0	0.0	0.0	0.0	0.0	0.0
521600	Employee Liability Ins Premium	9.0	9.0	13.7	0.0	15.8	0.0	15.8
521700	RHC Act Contributions	30.0	22.2	25.5	23.8	33.1	0.0	33.1
200	**Personal services and employe**	**1,567.0**	**1,532.9**	**1,610.6**	**1,774.5**	**1,838.6**	**0.0**	**1,838.6**
535200	Professional Services	71.4	27.9	48.8	0.0	30.0	0.0	30.0
535209	Professional Svcs - Interagenc	7.0	8.2	8.0	0.0	15.2	0.0	15.2
535300	Other Services	1.0	1.6	1.8	0.0	1.8	0.0	1.8
535400	Audit Services	27.0	26.0	29.4	0.0	29.4	0.0	29.4
535500	Attorney Services	15.0	14.6	0.0	0.0	16.6	0.0	16.6
535600	IT Services	30.5	69.6	32.0	0.0	32.0	0.0	32.0
300	**Contractual services**	**151.9**	**147.9**	**120.0**	**0.0**	**125.0**	**0.0**	**125.0**
542100	Employee I/S Mileage & Fares	4.0	6.6	4.0	0.0	5.3	0.0	5.3
542200	Employee I/S Meals & Lodging	1.5	5.5	1.0	0.0	4.9	0.0	4.9
542300	Brd & Comm Mbr Meals & Lodgin	0.3	0.2	1.0	0.0	0.5	0.0	0.5
542310	Brd & Comm Mbr Mileage & Fares	0.5	0.4	1.0	0.0	1.0	0.0	1.0
543400	Maint - Property Insurance	0.1	0.0	0.0	0.0	0.0	0.0	0.0
543830	IT HW/SW Agreements	0.0	19.6	27.5	0.0	23.5	0.0	23.5
544000	Supply Inventory IT	2.0	5.9	2.0	0.0	1.5	0.0	1.5
544100	Supplies-Office Supplies	2.0	2.4	1.0	0.0	1.0	0.0	1.0
544500	Supplies-Food	0.0	0.1	0.0	0.0	0.0	0.0	0.0
544600	Supplies-Kitchen Supplies	0.0	0.2	0.0	0.0	0.0	0.0	0.0
544700	Supplies-Clothng,Unifrms,Linen	0.0	0.0	0.0	0.0	0.0	0.0	0.0

BU	PCode	Department
41000	P410	000000

S-9 Account Code Expenditure Summary

(Dollars in Thousands)

		2025-26 Opbud	2025-26 Actuals	2026-27 Opbud	2027-28 PCF Proj	-------- FY 2028 Agency Request -------- Base	Expansion	Total
544900	Supplies-Inventory Exempt	1.0	1.8	0.0	0.0	0.0	0.0	0.0
545600	Reporting & Recording	1.0	0.3	0.0	0.0	0.5	0.0	0.5
545700	ISD Services	9.7	12.1	15.1	0.0	16.8	0.0	16.8
545710	DOIT HCM Assessment Fees	3.5	3.5	3.8	0.0	4.0	0.0	4.0
545900	Printing & Photo Services	0.5	0.6	1.0	0.0	1.0	0.0	1.0
546100	Postage & Mail Services	1.0	0.6	1.0	0.0	0.5	0.0	0.5
546400	Rent Of Land & Buildings	64.3	64.2	82.2	0.0	84.0	0.0	84.0
546500	Rent Of Equipment	4.4	3.8	7.6	0.0	7.2	0.0	7.2
546610	DOIT Telecommunications	14.5	16.9	16.3	0.0	16.9	0.0	16.9
546700	Subscriptions/Dues/License Fee	25.5	10.2	11.5	0.0	12.6	0.0	12.6
546800	Employee Training & Education	3.5	1.9	4.0	0.0	4.0	0.0	4.0
546900	Advertising	1.5	0.9	5.0	0.0	3.7	0.0	3.7
547900	Miscellaneous Expense	0.0	0.2	0.0	0.0	0.0	0.0	0.0
548900	Buildings & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0
549600	Employee O/S Mileage & Fares	1.6	3.2	2.0	0.0	3.2	0.0	3.2
549700	Employee O/S Meals & Lodging	2.0	6.9	3.6	0.0	3.5	0.0	3.5
400	**Other**	**144.4**	**168.1**	**190.6**	**0.0**	**195.6**	**0.0**	**195.6**
TOTAL EXPENSE		**1,863.3**	**1,848.9**	**1,921.2**	**1,774.51**	**2,159.2**	**0.0**	**2,159.2**

BU	PCode	Department
41000	0000	0000000000

State of New Mexico

S-9 Account Code Revenue/Expenditure Summary

(Dollars in Thousands)

		2025-26 Opbud	2025-26 Actuals	2026-27 Opbud	2027-28 PCF Proj	-------- FY 2028 Agency Request -------- Base	Expansion	Total
499105	General Fd. Appropriation	1,858.3	1,802.3	1,916.2	0.0	2,154.2	0.0	2,154.2
111	**General Fund Transfers**	**1,858.3**	**1,802.3**	**1,916.2**	**0.0**	**2,154.2**	**0.0**	**2,154.2**
499905	Other Financing Sources	0.0	86.5	0.0	0.0	0.0	0.0	0.0
112	**Other Transfers**	**0.0**	**86.5**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
425906	Other Services - CU	0.0	0.0	0.0	0.0	0.0	0.0	0.0
462000	Legal Settlements	0.0	5.0	0.0	0.0	0.0	0.0	0.0
496901	Miscellaneous Revenue	5.0	0.0	5.0	0.0	5.0	0.0	5.0
130	**Other Revenues**	**5.0**	**5.0**	**5.0**	**0.0**	**5.0**	**0.0**	**5.0**
TOTAL REVENUE		**1,863.3**	**1,893.8**	**1,921.2**	**0**	**2,159.2**	**0.0**	**2,159.2**
520100	Exempt Perm Positions P/T&F/T	568.7	600.4	584.8	637.8	638.0	0.0	638.0
520300	Classified Perm Positions F/T	595.9	504.2	557.0	710.1	711.5	0.0	711.5
520500	Temporary Positions F/T & P/T	0.0	14.3	0.0	1.5	0.0	0.0	0.0
520600	Paid Unused Sick Leave	0.0	0.5	0.0	0.0	0.0	0.0	0.0
520700	Overtime & Other Premium Pay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
520710	Longevity Pay	0.0	6.3	0.0	0.0	7.8	0.0	7.8
521100	Group Insurance Premium	51.8	76.6	111.6	89.4	87.7	0.0	87.7
521200	Retirement Contributions	218.6	213.7	239.5	229.0	244.1	0.0	244.1
521300	F I C A	91.7	84.4	77.3	82.9	98.6	0.0	98.6
521400	Workers' Comp Assessment Fee	0.1	0.1	0.1	0.0	0.1	0.0	0.1
521410	GSD Work Comp Insur Premium	1.2	1.2	1.1	0.0	1.9	0.0	1.9
521500	Unemployment Comp Premium	0.0	0.0	0.0	0.0	0.0	0.0	0.0
521600	Employee Liability Ins Premium	9.0	9.0	13.7	0.0	15.8	0.0	15.8
521700	RHC Act Contributions	30.0	22.2	25.5	23.8	33.1	0.0	33.1
200	**Personal services and employee benef**	**1,567.0**	**1,532.9**	**1,610.6**	**1,774.5**	**1,838.6**	**0.0**	**1,838.6**
535200	Professional Services	71.4	27.9	48.8	0.0	30.0	0.0	30.0
535209	Professional Svcs - Interagenc	7.0	8.2	8.0	0.0	15.2	0.0	15.2
535300	Other Services	1.0	1.6	1.8	0.0	1.8	0.0	1.8
535400	Audit Services	27.0	26.0	29.4	0.0	29.4	0.0	29.4
535500	Attorney Services	15.0	14.6	0.0	0.0	16.6	0.0	16.6
535600	IT Services	30.5	69.6	32.0	0.0	32.0	0.0	32.0
300	**Contractual services**	**151.9**	**147.9**	**120.0**	**0.0**	**125.0**	**0.0**	**125.0**
542100	Employee I/S Mileage & Fares	4.0	6.6	4.0	0.0	5.3	0.0	5.3
542200	Employee I/S Meals & Lodging	1.5	5.5	1.0	0.0	4.9	0.0	4.9

S-9 Account Code Revenue/Expenditure Summary

(Dollars in Thousands)

		2025-26 Opbud	2025-26 Actuals	2026-27 Opbud	2027-28 PCF Proj	-------- FY 2028 Agency Request -------- Base	Expansion	Total
542300	Brd & Comm Mbr Meals & Lodging	0.3	0.2	1.0	0.0	0.5	0.0	0.5
542310	Brd & Comm Mbr Mileage & Fares	0.5	0.4	1.0	0.0	1.0	0.0	1.0
543400	Maint - Property Insurance	0.1	0.0	0.0	0.0	0.0	0.0	0.0
543830	IT HW/SW Agreements	0.0	19.6	27.5	0.0	23.5	0.0	23.5
544000	Supply Inventory IT	2.0	5.9	2.0	0.0	1.5	0.0	1.5
544100	Supplies-Office Supplies	2.0	2.4	1.0	0.0	1.0	0.0	1.0
544500	Supplies-Food	0.0	0.1	0.0	0.0	0.0	0.0	0.0
544600	Supplies-Kitchen Supplies	0.0	0.2	0.0	0.0	0.0	0.0	0.0
544700	Supplies-Clothng,Unifrms,Linen	0.0	0.0	0.0	0.0	0.0	0.0	0.0
544900	Supplies-Inventory Exempt	1.0	1.8	0.0	0.0	0.0	0.0	0.0
545600	Reporting & Recording	1.0	0.3	0.0	0.0	0.5	0.0	0.5
545700	ISD Services	9.7	12.1	15.1	0.0	16.8	0.0	16.8
545710	DOIT HCM Assessment Fees	3.5	3.5	3.8	0.0	4.0	0.0	4.0
545900	Printing & Photo Services	0.5	0.6	1.0	0.0	1.0	0.0	1.0
546100	Postage & Mail Services	1.0	0.6	1.0	0.0	0.5	0.0	0.5
546400	Rent Of Land & Buildings	64.3	64.2	82.2	0.0	84.0	0.0	84.0
546500	Rent Of Equipment	4.4	3.8	7.6	0.0	7.2	0.0	7.2
546610	DOIT Telecommunications	14.5	16.9	16.3	0.0	16.9	0.0	16.9
546700	Subscriptions/Dues/License Fee	25.5	10.2	11.5	0.0	12.6	0.0	12.6
546800	Employee Training & Education	3.5	1.9	4.0	0.0	4.0	0.0	4.0
546900	Advertising	1.5	0.9	5.0	0.0	3.7	0.0	3.7
547900	Miscellaneous Expense	0.0	0.2	0.0	0.0	0.0	0.0	0.0
548900	Buildings & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0
549600	Employee O/S Mileage & Fares	1.6	3.2	2.0	0.0	3.2	0.0	3.2
549700	Employee O/S Meals & Lodging	2.0	6.9	3.6	0.0	3.5	0.0	3.5
400	**Other**	**144.4**	**168.1**	**190.6**	**0.0**	**195.6**	**0.0**	**195.6**
TOTAL EXPENSE		**1,863.3**	**1,848.9**	**1,921.2**	**1,774.51**	**2,159.2**	**0.0**	**2,159.2**
810	Permanent	10.00	14.00	10.00	13.00	11.00	0.00	11.00
810	**Permanent**	**10.00**	**14.00**	**10.00**	**13.00**	**11.00**	**0.00**	**11.00**
TOTAL FTE POSITIONS		**10.00**	**14.00**	**10.00**	**13.00**	**11.00**	**0.00**	**11.00**

State of New Mexico

S-13 Line Items by Business Unit Expenditures

(Dollars in Thousands)

					2025-26	2026-27	Request		Recommendation		
BusUnit			Line Item		Actuals	Opbud	Base	Expansion	Base	Expansion	Opbud
41000	**P410-R**	**State Ethics Commission**	520100	Exempt Perm Positions P/T&F/T	600.36	584.8	638	0	0	0	0.0
			520300	Classified Perm Positions F/T	504.19	557	711.5	0	0	0	0.0
			520500	Temporary Positions F/T & P/T	14.27	0	0	0	0	0	0.0
			520600	Paid Unused Sick Leave	0.49	0	0	0	0	0	0.0
			520710	Longevity Pay	6.3	0	7.8	0	0	0	0.0
			521100	Group Insurance Premium	76.65	111.6	87.7	0	0	0	0.0
			521200	Retirement Contributions	213.73	239.5	244.1	0	0	0	0.0
			521300	F I C A	84.41	77.3	98.6	0	0	0	0.0
			521400	Workers' Comp Assessment Fee	0.1	0.1	0.1	0	0	0	0.0
			521410	GSD Work Comp Insur Premium	1.17	1.1	1.9	0	0	0	0.0
			521600	Employee Liability Ins Premium	8.99	13.7	15.8	0	0	0	0.0
			521700	RHC Act Contributions	22.22	25.5	33.1	0	0	0	0.0
			535200	Professional Services	27.91	48.8	30	0	0	0	0.0
			535209	Professional Svcs - Interagenc	8.19	8	15.2	0	0	0	0.0
			535300	Other Services	1.55	1.8	1.8	0	0	0	0.0
			535400	Audit Services	25.99	29.4	29.4	0	0	0	0.0
			535500	Attorney Services	14.65	0	16.6	0	0	0	0.0
			535600	IT Services	69.64	32	32	0	0	0	0.0
			542100	Employee I/S Mileage & Fares	6.59	4	5.3	0	0	0	0.0
			542200	Employee I/S Meals & Lodging	5.47	1	4.9	0	0	0	0.0
			542300	Brd & Comm Mbr Meals & Lodgin	0.19	1	0.5	0	0	0	0.0
			542310	Brd & Comm Mbr Mileage & Fares	0.39	1	1	0	0	0	0.0
			543830	IT HW/SW Agreements	19.6	27.5	23.5	0	0	0	0.0
			544000	Supply Inventory IT	5.86	2	1.5	0	0	0	0.0
			544100	Supplies-Office Supplies	2.35	1	1	0	0	0	0.0
			544500	Supplies-Food	0.1	0	0	0	0	0	0.0
			544600	Supplies-Kitchen Supplies	0.18	0	0	0	0	0	0.0
			544700	Supplies-Clothng,Unifrms,Linen	0.03	0	0	0	0	0	0.0
			544900	Supplies-Inventory Exempt	1.81	0	0	0	0	0	0.0
			545600	Reporting & Recording	0.34	0	0.5	0	0	0	0.0
			545700	ISD Services	12.12	15.1	16.8	0	0	0	0.0
			545710	DOIT HCM Assessment Fees	3.5	3.8	4	0	0	0	0.0

(Dollars in Thousands)

			545900	Printing & Photo Services	0.59	1	1	0	0	0	0.0
			546100	Postage & Mail Services	0.63	1	0.5	0	0	0	0.0
			546400	Rent Of Land & Buildings	64.21	82.2	84	0	0	0	0.0
			546500	Rent Of Equipment	3.76	7.6	7.2	0	0	0	0.0
			546610	DOIT Telecommunications	16.91	16.3	16.9	0	0	0	0.0
			546700	Subscriptions/Dues/License Fee	10.23	11.5	12.6	0	0	0	0.0
			546800	Employee Training & Education	1.9	4	4	0	0	0	0.0
			546900	Advertising	0.89	5	3.7	0	0	0	0.0
			547900	Miscellaneous Expense	0.25	0	0	0	0	0	0.0
			549600	Employee O/S Mileage & Fares	3.24	2	3.2	0	0	0	0.0
			549700	Employee O/S Meals & Lodging	6.9	3.6	3.5	0	0	0	0.0
Subtotal for:	**41000**	**P410-R**	**State Ethics Commission**		**1,848.89**	**1,921.2**	**2,159.2**	**0**	**0**	**0**	**0.0**
41000					**1,848.89**	**1,921.2**	**2,159.2**	**0**	**0**	**0**	**0.0**

Totals by Line Item

BusUnit	Line Item		2025-26 Actuals	2026-27 Opbud	Request Base	Request Expansion	Recommendation Base	Recommendation Expansion	Opbud
41000	**520100**	**Exempt Perm Positions P/T&F/T**	600.36	584.8	638	0	0	0	0.0
	520300	**Classified Perm Positions F/T**	504.19	557	711.5	0	0	0	0.0
	520500	**Temporary Positions F/T & P/T**	14.27	0	0	0	0	0	0.0
	520600	**Paid Unused Sick Leave**	0.49	0	0	0	0	0	0.0
	520710	**Longevity Pay**	6.3	0	7.8	0	0	0	0.0
	521100	**Group Insurance Premium**	76.65	111.6	87.7	0	0	0	0.0
	521200	**Retirement Contributions**	213.73	239.5	244.1	0	0	0	0.0
	521300	**F I C A**	84.41	77.3	98.6	0	0	0	0.0
	521400	**Workers' Comp Assessment Fee**	0.1	0.1	0.1	0	0	0	0.0
	521410	**GSD Work Comp Insur Premium**	1.17	1.1	1.9	0	0	0	0.0
	521600	**Employee Liability Ins Premium**	8.99	13.7	15.8	0	0	0	0.0
	521700	**RHC Act Contributions**	22.22	25.5	33.1	0	0	0	0.0
	535200	**Professional Services**	27.91	48.8	30	0	0	0	0.0

(Dollars in Thousands)

535209	**Professional Svcs - Interagenc**	8.19	8	15.2	0	0	0	0.0
535300	**Other Services**	1.55	1.8	1.8	0	0	0	0.0
535400	**Audit Services**	25.99	29.4	29.4	0	0	0	0.0
535500	**Attorney Services**	14.65	0	16.6	0	0	0	0.0
535600	**IT Services**	69.64	32	32	0	0	0	0.0
542100	**Employee I/S Mileage & Fares**	6.59	4	5.3	0	0	0	0.0
542200	**Employee I/S Meals & Lodging**	5.47	1	4.9	0	0	0	0.0
542300	**Brd & Comm Mbr Meals & Lodging**	0.19	1	0.5	0	0	0	0.0
542310	**Brd & Comm Mbr Mileage & Fares**	0.39	1	1	0	0	0	0.0
543830	**IT HW/SW Agreements**	19.6	27.5	23.5	0	0	0	0.0
544000	**Supply Inventory IT**	5.86	2	1.5	0	0	0	0.0
544100	**Supplies-Office Supplies**	2.35	1	1	0	0	0	0.0
544500	**Supplies-Food**	0.1	0	0	0	0	0	0.0
544600	**Supplies-Kitchen Supplies**	0.18	0	0	0	0	0	0.0
544700	**Supplies-Clothng,Unifrms,Linen**	0.03	0	0	0	0	0	0.0
544900	**Supplies-Inventory Exempt**	1.81	0	0	0	0	0	0.0
545600	**Reporting & Recording**	0.34	0	0.5	0	0	0	0.0
545700	**ISD Services**	12.12	15.1	16.8	0	0	0	0.0
545710	**DOIT HCM Assessment Fees**	3.5	3.8	4	0	0	0	0.0
545900	**Printing & Photo Services**	0.59	1	1	0	0	0	0.0
546100	**Postage & Mail Services**	0.63	1	0.5	0	0	0	0.0
546400	**Rent Of Land & Buildings**	64.21	82.2	84	0	0	0	0.0
546500	**Rent Of Equipment**	3.76	7.6	7.2	0	0	0	0.0
546610	**DOIT Telecommunications**	16.91	16.3	16.9	0	0	0	0.0
546700	**Subscriptions/Dues/License Fee**	10.23	11.5	12.6	0	0	0	0.0
546800	**Employee Training & Education**	1.9	4	4	0	0	0	0.0
546900	**Advertising**	0.89	5	3.7	0	0	0	0.0
547900	**Miscellaneous Expense**	0.25	0	0	0	0	0	0.0
549600	**Employee O/S Mileage & Fares**	3.24	2	3.2	0	0	0	0.0
549700	**Employee O/S Meals & Lodging**	6.9	3.6	3.5	0	0	0	0.0
	Grand Total	**1,848.89**	**1,921.2**	**2,159.2**	**0**	**0**	**0**	**0.0**

P-1 Program Overview

BU	PCode
41000	P410

Program Description:

The Commission is an independent, constitutional state agency that promotes the integrity of government through the interpretation, enforcement and improvement of New Mexico's campaign finance, lobbying, procurement, and governmental conduct laws.
The State Ethics Commission is an independent state agency created by Article V, Section 17 of the New Mexico Constitution. The Commission has five core responsibilities:
First, the Commission investigates and adjudicates administrative complaints alleging violations of New Mexico's ethics laws-namely, New Mexico's governmental conduct, procurement, and disclosure laws, including laws requiring financial disclosure, campaign finance disclosure, and lobbyist disclosure.
Second, the Commission investigates and prosecutes violations of the ethics laws through civil enforcement actions in state court.
Third, the Commission educates public officers, public employees, and the public about New Mexico's ethics laws by issuing advisory opinions, offering trainings to legislators, state agencies, local governments, and affiliate organizations, and promulgating a model code of ethics.
Fourth, the Commission investigates and prosecutes in administrative proceedings violations of New Mexico's Revised Uniform Law on Notarial Acts, which governs notaries public.
Fifth, the Commission makes annual recommendations to the Governor and the Legislature regarding amendments to New Mexico's ethics laws.

Major Issues and Accomplishments:

A major issue facing the Commission is increasing workloads and limited attorney capacity, which have affected timely processing of complaints under the Revised Uniform Law on Notarial Acts (RULONA). Since FY22, more than 96 notary-related matters have been received, investigated, or prosecuted, including 26 in FY26, contributing to a RULONA backlog. Existing attorneys carry full workloads, and the Commission has hired a contract attorney to assist with informal opinions and ease the burden on staff. Pending approval of the FY28 request, one additional attorney FTE would provide dedicated capacity to reduce the RULONA backlog while supporting both compliance and enforcement activities, improving the Commission's ability to meet statutory timelines.
Turning to the Commission's accomplishments, the Commission has had several high-profile successes in enforcing New Mexico's ethics, disclosure, and procurement laws over the past year, including achieving:

A jury verdict finding the former mayor of Angel Fire knowingly violated the Procurement Code, resulting in the cancellation and competitive rebidding of an unlawful $1 million contract, recovery of improperly prepaid public funds, and settlements with other parties.

A landmark enforcement action requiring Elevate New Mexico to disclose $3.67 million in funding and more than $419,000 in spending for an advertising campaign concerning Project Jupiter, bringing previously undisclosed efforts to influence state officials into public view.

Significant progress enforcing the Nondisclosure of Sensitive Personal Information Act, including successfully establishing the Commission's authority to proceed against the Corrections Department and filing an action to halt alleged unlawful disclosures.

Investigation and adjudication of 58 administrative complaints alleging violations of New Mexico's ethics and disclosure laws.

The Commission resolved additional Governmental Conduct Act matters through pre-litigation settlements, delivered 16 training courses, and expanded capacity through staffing, contract counsel, and student fellowship programs. The Commission also issued 16 advisory opinions and 32 advisory letters.

P-1 Program Overview

BU	PCode
41000	P410

Overview of Request: The Commission is requesting a FY28 appropriation of $2,159,200, which includes $148,000 to support one additional attorney FTE and address the Commission's growing enforcement workload and RULONA backlog. The request also includes $80,000 for increased fixed personnel costs associated with existing salaries and benefits; $5,000 for increased hearing officer expenses, reflecting a 50% increase driven by increased caseload and higher AHO hourly rates and per-case fees; and $10,000 for software agreements, licenses, subscriptions, and dues. Excluding the additional attorney FTE, these increases total $95,000, or approximately 5% over FY27 recurring funding, and are necessary to maintain current operations and meet the Commission's ongoing legal, administrative, technology, and statutory obligations.

Programmatic Changes: The Commission does not anticipate or seek any programmatic changes. Nor does the Commission seek any changes to its current performance metrics.

Base Budget Justification: The Commission is requesting a ?5% increase to its FY28 base budget, excluding the separately requested additional attorney FTE. Although the total FY28 request reflects an increase of just over 12% from FY27 due to the FTE request, the underlying base increase is only $95,000, or approximately 5%. Given the Commission's relatively small budget, this modest dollar increase represents a limited investment compared with the budgets of larger agencies, while directly supporting the Commission's ability to fulfill its constitutional and statutory responsibilities.

The primary cost drivers are:

Personnel Salaries and Benefits: Funding to maintain existing staff at current salary and benefit levels, including an anticipated 10% increase in healthcare premiums.

Hearing Officer Services: The Commission increasingly relies on the Administrative Hearings Office (AHO), which has helped control costs compared with obtaining hearing officer services externally. However, AHO has increased its referral fee and hourly rates, while the Commission's caseload and referrals continue to grow, resulting in an anticipated increase of approximately 50% in hearing officer expenses.

Software, Licenses, Subscriptions, and Dues: Increased costs for technology and professional services essential to the Commission's legal, enforcement, compliance, and regulatory functions.

The Commission historically maintains low reversions, demonstrating that its appropriations are carefully managed and directed toward necessary operations. The FY28 base increase is therefore not driven by discretionary expansion, but by unavoidable increases in personnel, contractual, and operating costs. Full funding is necessary to maintain operational continuity, support the Commission's existing ten-person workforce, and meet increasing demands related to enforcement, compliance, RULONA matters, and the Commission's other statutory duties.

In addition, the Commission requests one additional attorney FTE to address its growing enforcement workload and RULONA backlog. This position would allow the current compliance attorney, who currently divides time between compliance and enforcement, to focus exclusively on compliance while the new attorney assumes both compliance and enforcement responsibilities. This targeted investment would increase the Commission's capacity to meet statutory requirements, and address workload demands.

REV EXP COMPARISON

(Dollars in Thousands)

41000 - State Ethics Commission

P410 - State Ethics Commission

	General Fund	Other Funds	Other Transfers	Federal Funds	Total
SOURCES Totals	**2,154.2**	**5.0**	**0.0**	**0.0**	**2,159.2**
Personal services and employee benefits	1,838.6	0.0	0.0	0.0	1,838.6
Contractual services	125.0	0.0	0.0	0.0	125
Other	190.6	5.0	0.0	0.0	195.6
USES Total:	**2,154.2**	**5.0**	**0.0**	**0.0**	**2,159.2**
Net:	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

F4 PCode Detail

(Dollars in Thousands)

Fund	Account		2025-26 Actuals	2026-27 Opbud	2027-28 PCF Proj	FY 2028 Agency Request GF	OSF	ISF/IAT	FF	Total	Justification
20780	520100	Exempt Perm Positions P/T&F/T	600.4	584.8	637.78	638.0	0.0	0.0	0.0	638.0	
20780	520300	Classified Perm Positions F/T	504.2	557.0	710.14	711.5	0.0	0.0	0.0	711.5	includes salary for 1 additional FTE request
20780	520500	Temporary Positions F/T & P/T	14.3	0.0	1.48	0.0	0.0	0.0	0.0	0.0	summer interns requesting in special
20780	520600	Paid Unused Sick Leave	0.5	0.0	0	0.0	0.0	0.0	0.0	0.0	
20780	520700	Overtime & Other Premium Pay	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	520710 longevity pay account added to share
20780	520710	Longevity Pay	6.3	0.0	0	7.8	0.0	0.0	0.0	7.8	Longevity Pay
20780	521100	Group Insurance Premium	76.6	111.6	89.42	87.7	0.0	0.0	0.0	87.7	Amount excludes 10% increase from projection.
20780	521200	Retirement Contributions	213.7	239.5	228.98	244.1	0.0	0.0	0.0	244.1	includes benefits for 1 additional FTE request
20780	521300	F I C A	84.4	77.3	82.91	98.6	0.0	0.0	0.0	98.6	includes benefits for 1 additional FTE request
20780	521400	Workers' Comp Assessment Fee	0.1	0.1	0	0.1	0.0	0.0	0.0	0.1	$10.20 Per FTE
20780	521410	GSD Work Comp Insur Premium	1.2	1.1	0	1.9	0.0	0.0	0.0	1.9	Per GSD Rate Sheet.
20780	521600	Employee Liability Ins Premium	9.0	13.7	0	15.8	0.0	0.0	0.0	15.8	Per GSD Rate Sheet. Increase due to claims average cost of prior years.
20780	521700	RHC Act Contributions	22.2	25.5	23.8	33.1	0.0	0.0	0.0	33.1	calc based on salaries + 1 FTE.
	200	**Personal services and employee benef**	**1,532.9**	**1,610.6**	**1,774.51**	**1,838.6**	**0.0**	**0.0**	**0.0**	**1,838.6**	
20780	542100	Employee I/S Mileage & Fares	6.6	4.0	0	5.3	0.0	0.0	0.0	5.3	Amount based on 26 actuals. Current pending litigation expense anticipated to exceed prior year.
20780	542200	Employee I/S Meals & Lodging	5.5	1.0	0	4.9	0.0	0.0	0.0	4.9	Amount based on 26 actuals. Current pending litigation expense anticipated to exceed prior year.
20780	542300	Brd & Comm Mbr Meals & Lodging	0.2	1.0	0	0.5	0.0	0.0	0.0	0.5	
20780	542310	Brd & Comm Mbr Mileage & Fares	0.4	1.0	0	1.0	0.0	0.0	0.0	1.0	
20780	543830	IT HW/SW Agreements	19.6	27.5	0	23.5	0.0	0.0	0.0	23.5	
20780	544000	Supply Inventory IT	5.9	2.0	0	1.5	0.0	0.0	0.0	1.5	1 laptop replacements
20780	544100	Supplies-Office Supplies	2.4	1.0	0	1.0	0.0	0.0	0.0	1.0	
20780	544500	Supplies-Food	0.1	0.0	0	0.0	0.0	0.0	0.0	0.0	
20780	544600	Supplies-Kitchen Supplies	0.2	0.0	0	0.0	0.0	0.0	0.0	0.0	
20780	544700	Supplies-Clothng,Unifrms,Linen	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	
20780	544900	Supplies-Inventory Exempt	1.8	0.0	0	0.0	0.0	0.0	0.0	0.0	Prior year funds were used for Microwaves and IT storage cabinets.
20780	545600	Reporting & Recording	0.3	0.0	0	0.5	0.0	0.0	0.0	0.5	Pacer, NM state records and archive filings, and IPRA Request fees.

State Ethics Commission

State of New Mexico

F4 PCode Detail
(Dollars in Thousands)

BU **PCode**
41000 P410

Fund	Account		2025-26 Actuals	2026-27 Opbud	2027-28 PCF Proj	FY 2028 Agency Request GF	OSF	ISF/IAT	FF	Total	Justification
20780	545700	ISD Services	12.1	15.1	0	16.8	0.0	0.0	0.0	16.8	Per GSD rate sheet.
20780	545710	DOIT HCM Assessment Fees	3.5	3.8	0	4.0	0.0	0.0	0.0	4.0	Flat Rate. 11 FTE @ 365.00
20780	545900	Printing & Photo Services	0.6	1.0	0	1.0	0.0	0.0	0.0	1.0	copier printing & business cards.
20780	546100	Postage & Mail Services	0.6	1.0	0	0.5	0.0	0.0	0.0	0.5	
20780	546400	Rent Of Land & Buildings	64.2	82.2	0	84.0	0.0	0.0	0.0	84.0	Fixed building leases: 800B = 66508, 851U = 17,476.
20780	546500	Rent Of Equipment	3.8	7.6	0	7.2	0.0	0.0	0.0	7.2	Fixed copier leases renewal at 10% increase for 2 Canon machines.
20780	546610	DOIT Telecommunications	16.9	16.3	0	16.9	0.0	0.0	0.0	16.9	Rate Increase, per rate sheet.
20780	546700	Subscriptions/Dues/License Fee	10.2	11.5	0	12.6	0.0	0.0	0.0	12.6	AGA, NMPPA, NIGP, ABA, CLEs, Newspapers, COGLE, NITA
20780	546800	Employee Training & Education	1.9	4.0	0	3.0	1.0	0.0	0.0	4.0	NMPPA, NM Edge CFO training.
20780	546900	Advertising	0.9	5.0	0	2.7	1.0	0.0	0.0	3.7	
20780	547900	Miscellaneous Expense	0.2	0.0	0	0.0	0.0	0.0	0.0	0.0	
20780	549600	Employee O/S Mileage & Fares	3.2	2.0	0	1.7	1.5	0.0	0.0	3.2	
20780	549700	Employee O/S Meals & Lodging	6.9	3.6	0	2.0	1.5	0.0	0.0	3.5	
	400	**Other**	**168.1**	**190.6**	**0**	**190.6**	**5.0**	**0.0**	**0.0**	**195.6**	
	TOTAL EXPENSE		**1,701.0**	**1,801.2**		**2,029.2**	**5.0**	**0.0**	**0.0**	**2,034.2**	

State Ethics Commission

BU PCode
41000 P410

State of New Mexico

Contract by PCode Detail

(Dollars in Thousands)

Fund	Account		#	Contract Purpose	Actuals	FY 2028 Agency Request GF	OSF	ISF/IAT	FF	Total	Justification
20780	535200	Professional Services	1000		27.9	30.0	0.0	0.0	0.0	30.0	
20780	535209	Professional Svcs - Interagen	1000		8.2	15.2	0.0	0.0	0.0	15.2	AHO increased flat rate and hrly fee. Refer to back up.
20780	535300	Other Services	1000		1.6	1.8	0.0	0.0	0.0	1.8	UNM Recycling = $910 based on an increase of 10%, Horizons = 752.89 based an the increase from last year.
20780	535400	Audit Services	1000		26.0	29.4	0.0	0.0	0.0	29.4	CLA rate sheet, see attachment.
20780	535500	Attorney Services	1000		14.6	16.6	0.0	0.0	0.0	16.6	requesting in special
20780	535600	IT Services	1000		69.6	32.0	0.0	0.0	0.0	32.0	RULONA docket enhancement, funds were available.
	TOTAL EXPENSE				**147.9**	**125.0**	**0.0**	**0.0**	**0.0**	**125.0**	

State of New Mexico

SPECIALS, SUPPLEMENTALS AND DEFICIENCIES DFA

(Prepare separate forms for each request)

BU: 41000

Request Type: Special (FY 28)

Agency: State Ethics Commission

Program:

Analyst: Wendy George

Phone: 505-554-7608

Rank: 1

TOTAL SOURCES MUST EQUAL TOTAL USES

(Dollars in Thousands)

Sources		Uses	
Revenue Account	**Amount**	**Uses Account**	**Amount**
General Fund Transfers	125.0	Contractual Services	42.0
Total Sources	**125.0**	Other	35.0
		Personal Services & Employee Be	48.0
		Total Uses	**125.0**

Full Time Equivalents (FTE)	
Type	**Amount of FTE**
	0.00
Total FTE	**0.00**

Request is related to a capital request **No**

Request is related to proposed legislation **No**

Language requested for inclusion in General Appropriations Act (Please Follow Legislative Bill Drafting Conventions - See Instructions)

For litigation and attorney costs, law student interns, software agreements, subscriptions and dues, employee legal and professional training including related costs and IT equipment for expenditures
through fiscal year 2029.

Justification Quantitative Data (Description)

The Commission is a small independent constitutional agency with 10 funded staff positions. The Commission handles significant and complex enforcement matters with consequences that extend beyond the individual parties involved. Its work helps ensure that entities seeking to influence New Mexico elections, rulemaking, procurement, and other governmental decisions—including well-resourced organizations and out-of-state corporations—comply with New Mexico's ethics and disclosure laws.

The agency requests $125,000 in special non-recurring funding to provide temporary capacity in response to two sources of increasing demand: growth in the Commission's existing workload and the addition of new statutory responsibilities. From FY25 to FY26, formal advisory opinions increased by 167%, informal complaints increased by 52%, and informal advisory opinions increased by 10%. At the same time, the Legislature expanded the Commission's responsibilities to include enforcement under the Revised Uniform Law on Notarial Acts ("RULONA") and the Nondisclosure of Sensitive Personal Information Act ("NSPIA"). RULONA complaints alone increased by 44% from FY25 to FY26.

The FY28 Strategic Plan identifies these increasing demands on the Commission and calls for capacity-building through a law student summer associate program and additional legal support for enforcement and special statutory proceedings. Temporary legal capacity will allow the Commission to manage these time-sensitive matters. The special appropriation will also enable professional education and training that increases the capacity of existing staff to efficiently complete current work and take on additional responsibilities.

The Commission has demonstrated strong performance with its existing resources. In FY26, the Commission issued 94 percent of advisory opinions within 60 days against an FY28 target of 90 percent and disposed of or set for hearing 100 percent of ethics complaints within its jurisdiction within 180 days against a 90 percent target. The funding requested is intended to preserve these results as litigation and statutory responsibilities increase.

Finally, the request is deliberately limited to FY29. At the conclusion of the funding period, the Commission will evaluate actual workload, expenditures, performance results, and operational efficiencies and will use that information to determine whether any future needs should be addressed through the regular budget process. The Commission is not requesting this appropriation as a bridge to recurring funding.

Request: Provide a brief description of what the request does, how the dollars will be spent and explain why it is a nonrecurring need.

The agency requests $125,000 in special non-recurring funding available in FY27, FY28 and FY29 to address a defined, temporary increase in legal workload and to preserve the Commission's demonstrated performance while it implements its FY28 Strategic Plan. Funding will support temporary law student positions, specialized legal and litigation support, and targeted employee legal and professional training. The request is structured as a finite investment and will not create permanent FTE or ongoing contractual obligations.

Request: How the dollars will be spent.

-Law student positions – $45,000: Support temporary law student summer and fall associate positions during FY27–FY29. Students will assist attorneys with legal research, case preparation, document review, and other appropriate legal support while developing a pipeline of future New Mexico attorneys familiar with the Commission and state ethics laws.
-Specialized legal and litigation support – $45,000: Provide temporary contract attorney capacity and related litigation expenses for significant and complex enforcement matters, including discovery, depositions, court reporters, legal research, and other necessary case-support costs. Funding will be used only as needed and will not establish a permanent outside-counsel arrangement or substitute for a permanent FTE.
-Employee legal and professional training – $20,000: Support targeted continuing legal education, litigation, investigation, administrative adjudication, ethics-law, and professional training necessary to maintain staff expertise as the Commission's jurisdiction and workload evolve.
-Temporary legal research software, subscriptions, IT equipment and case-support resources – $15,000: Support time-limited legal research, case-support, and related resources that improve attorneys' ability to efficiently manage complex matters and reduce duplicative work. Any technology or software expenditure will be limited to qualifying temporary needs and will comply with DFA/DoIT requirements; ongoing recurring technology costs will not be funded through this request.
Total request: $125,000. The Commission anticipates approximately $62,500 of expenditures in FY28 and $62,500 in FY29, subject to actual litigation needs, procurement requirements, student availability, and timing of qualifying activities. Funds will be tracked by category and used only for the purposes authorized by the appropriation.

Request: Explain why request is nonrecurring need.

This request is nonrecurring because it is designed to address a defined period of temporary capacity needs rather than establish an ongoing operating program. The principal costs are temporary law student appointments and limited legal and litigation support associated with current and anticipated enforcement matters during FY28–FY29. These costs will fluctuate with case activity and are not proposed as permanent staffing or a permanent outside-counsel obligation.
The law student component is particularly appropriate for nonrecurring funding because the positions are temporary and directly implement the FY28 Strategic Plan's stated capacity-building objective to develop a pipeline of New Mexico lawyers familiar with the Commission and state ethics and disclosure laws. Targeted training is likewise intended to address current and evolving legal responsibilities and strengthen internal capacity during the funding period.
The Commission is not requesting nonrecurring funding for routine ongoing operations or as a bridge to future recurring funding. At the end of FY29, the Commission will evaluate actual workload, litigation status, expenditures, performance results, and efficiencies. Any continuing need identified through that evaluation will be considered separately through the normal budget process.

Consequences: Provide a brief description of consequences of not funding a performance and accountability task.

Without the requested nonrecurring funding, the Commission will continue to rely almost entirely on its limited existing legal staff to absorb temporary increases in litigation, enforcement complexity, and special statutory responsibilities. The most immediate consequence would be reduced capacity to conduct research, discovery, case preparation, and other legal work while simultaneously maintaining timely advisory and administrative case processing. This could increase the risk of delays, attorney workload pressures, and reduced capacity to respond to new or complex matters.
The Commission's FY26 results demonstrate that existing resources are producing strong performance; however, maintaining those results while workload and statutory responsibilities increase requires targeted temporary capacity. Without the appropriation, the Commission may have fewer options to manage time-sensitive litigation and could be required to reprioritize advisory, enforcement, training, or other statutory functions.
The requested funding provides a controlled, time-limited response with defined uses, measurable outputs, and an expiration date. The Commission will track expenditures, law student positions, legal matters supported, training completed, and performance against its existing LFC measures, and will report the results to DFA and LFC as appropriate. This approach allows the Legislature to evaluate whether the temporary investment preserved performance and produced measurable operational benefits before any future budget decision.

Performance: How will agency performance be affected.

The requested funding is intended to preserve and strengthen the Commission's demonstrated performance as legal workload and statutory responsibilities increase. In FY26, 94 percent of advisory opinions were issued within 60 days compared with an FY28 target of 90 percent, and 100 percent of ethics complaints within the Commission's jurisdiction were disposed of or set for public hearing within 180 days compared with a 90 percent target. Temporary legal and student capacity will help protect these timeliness results by providing additional research, case-preparation, and litigation capacity.
The funding will also support the Commission's ability to manage complex civil enforcement and special statutory proceedings without diverting excessive attorney time from advisory and administrative matters. Training will maintain the legal and investigative expertise needed to perform these functions effectively. The Commission will monitor the existing performance measures and project-level outputs throughout the funding period.

Performance: How will agency performance will be improved.

The funding will improve performance by adding temporary capacity at the points where the Commission's limited staff resources are most constrained. Law students will provide supervised research and case-preparation assistance, allowing attorneys to devote more time to complex legal analysis, enforcement, advisory work, and litigation.
Temporary specialized legal support will provide additional capacity during periods of intensive litigation without creating a permanent staffing or contractual commitment.
Training will strengthen employee expertise in legal research, investigation, litigation, administrative adjudication, and developments in the laws within the Commission's jurisdiction. The Commission will also use temporary legal research and case-support resources to reduce duplicative work and improve efficiency. These activities directly support the Strategic Plan's enforcement, guidance and education, and capacity-building objectives and are intended to help the Commission maintain or exceed its current performance targets.

Brief description of problem agency is addressing.

The Commission is experiencing increased legal complexity and workload while carrying out a broad and expanding constitutional and statutory mandate with a very lean staffing structure. The FY28 Strategic Plan identifies civil enforcement, RULONA, NSPIA, advisory services, education, and capacity building as significant areas of work. Several current enforcement matters require substantial litigation activity, including discovery, motion practice, depositions, evidentiary development, and trial preparation.
The Commission also must maintain timely advisory and complaint processing while meeting its responsibilities to educate public officials and employees. The agency therefore seeks temporary legal and workforce capacity during FY28–FY29, including law student positions, limited specialized legal support, and targeted training. These resources will address the immediate period of heightened demand while the Commission evaluates its sustainable long-term resource requirements.

State of New Mexico

Specials Agency Report (3500)

Report Name

Run Date: 9/1/26

Run Time: 10:42:29 AM

Business Unit	Rank	Form ID	Language Requested for GAA	Request Type Name	GF Request	Total Request	FTE Request	Agency Contact	Phone
41000	1	85114	For litigation and attorney costs, law student interns, software agreements, subscriptions and dues, employee legal and professional training including related costs and IT equipment for expenditures through fiscal year 2029.	Special (FY 28)	125.0	125.0	0.00	Wendy George	505-554-7608

Agency: 41000 State Ethics Commission

Program: P410 State Ethics Commission

The purpose of the state ethics commission program is to receive, investigate and adjudicate complaints against public officials, public employees, candidates, those subject to the Campaign Reporting Act, government contractors, lobbyists and lobbyists' employers and to ensure that public ethics laws are clear, comprehensive and effective.

Performance Measures:		2025-26 Target	2025-26 Result	Met Target	Year End Result Narrative
Efficiency	Percent of ethics complaints within the agency's jurisdiction that are either disposed or set for public hearing within one hundred eighty days after a complaint is received	90%	100%	Yes	The agency disposed of or set for hearing 100% of ethics complaints within the agency's jurisdiction within 180 days, exceeding the target of 90%. This achievement reflects effective case tracking, efficient coordination of investigative and legal processes, and a sustained focus on resolving matters promptly.
Output	Percent of advisory opinions issued within sixty days of receipt	93%	94%	Yes	The agency issued 94% of advisory opinions within 90 days, exceeding the target of 93%. This result demonstrates the agency's continued commitment to providing timely guidance to public officials, state agencies, and local governments, while maintaining the quality and thoroughness of its legal analysis

Performance Measures Summary

P410 **State Ethics Commission**

Purpose: The purpose of the state ethics commission program is to receive, investigate and adjudicate complaints against public officials, public employees, candidates, those subject to the Campaign Reporting Act, government contractors, lobbyists and lobbyists' employers and to ensure that public ethics laws are clear, comprehensive and effective.

Performance Measures:		2024-25 Actual	2025-26 Actual	2026-27 Budget	2027-28 Request	2027-28 Recomm
Output	Percent of advisory opinions issued within sixty days of receipt	100%	94%	93%	93%	
Efficiency	Percent of ethics complaints within the agency's jurisdiction that are either disposed or set for public hearing within one hundred eighty days after a complaint is received	98%	100%	90%	90%	

New Mexico Department of
Information Technology

Annual Request for IT Agency Strategic Plan Exception Request

Form 27-361 EPMO-1

Upon completion of this form, please email to : Exception.Requests@doit.nm.gov

Date: 8/28/2026

Agency Code: 41000 Agency Name: State Ethics Commission

	YES	NO
• Does the agency have IT staff?	☐ YES	☑ NO
• Are all agency IT services provided by DoIT?	☑ YES	☐ NO
• Does the agency own any IT projects or applications?	☑ YES	☐ NO

Brief Description & Justification

Our agency is uniquely small and DOIT provides the majority of our IT services with the exception of our website and complaint portal which is maintained by Real Time Solutions LLC. We currently operate with a total staff of just 10 employees. Because of our limited size and specialized scope, our IT environment is highly simplified and stable, and we do not have the complex infrastructure or evolving technology needs that a formal IT strategic plan would typically address. In the past, our agency has not been required to submit this plan due to these constraints.

Agency Contact(s) for Additional Information

Name:	Jeremy Farris	Name:	Wendy George
Title:	Executive Director	Title:	Finance & Administration Director, CFO
Phone:	505-554-7608	Phone:	505-554-7608
Email:	jeremy.farris@sec.nm.gov	Email:	wendyj.george@sec.nm.gov

Agency Approval Signatures

Please ensure the following signatures are included prior to sending to EPMO

Jeremy Farris

Agency Cabinet Secretary or Designee

State Ethics Commission

Agency Name

Wendy George

Agency Chief Information Officer/IT Lead

State Ethics Commission

Agency Name

For Department of Information Technology (DoIT) Use Only

Exception Recommendation

DoIT Determination & Signature

☐ APPROVED ☐ DISAPPROVED

DoIT Cabinet Secretary or Designee

8/28/2026

Date

STATE ETHICS COMMISSION
https://sec.state.nm.us
800 Bradbury Dr. SE
Suite 215
Albuquerque, NM 87106
(505) 827-7800

STRATEGIC PLAN

FY28

Prepared for:
The New Mexico Legislature
Governor Michelle Lujan Grisham

A Message from the Executive Director

I am pleased to present the *Strategic Plan* for the State Ethics Commission for fiscal year 2028—the Commission's ninth year. The Commission is an independent, constitutional state agency that promotes the integrity of government through the interpretation, enforcement and improvement of New Mexico's campaign finance, lobbying, procurement, and governmental conduct laws.

In addition to these responsibilities, the Commission now has statutory authority to enforce the Nondisclosure of Sensitive Personal Information Act and provisions of the Revised Uniform Law on Notarial Acts, further broadening its role in protecting transparency, accountability, and the privacy rights of New Mexicans.

These expanded responsibilities come at a time of increasing demand for several of the Commission's core services. From fiscal year 2025 to fiscal year 2026, formal advisory opinions increased by 167%, informal complaints increased by 52%, RULONA complaints increased by 44%, and requests resulting in informal advisory opinions increased by 10%. These increases reflect growing demands on Commission staff to provide legal guidance, evaluate complaints, and administer an expanding range of statutory responsibilities.

The Commission maintains very low staff turnover and continues to encounter increasing demands in fulfilling its constitutional and statutory mandates to oversee governmental conduct, procurement, and disclosure laws. The Commission remains focused on hiring and achieving full funding for key personnel that are necessary for the Commission to minimally meet its significant mandates. This strategic plan is targeted to those needs.

Sincerely,

Jeremy Farris
Executive Director
State Ethics Commission

September 1, 2026

Table Of Contents

Mission Statement

The State Ethics Commission is an independent, constitutional agency committed to preventing and remedying public corruption and building trust in state government. The Commission promotes the integrity of government through the interpretation, enforcement, and improvement of New Mexico's governmental conduct, procurement, campaign finance reporting, and financial disclosure laws.

Agency Overview

Legal Foundation and Creation

The State Ethics Commission is an independent state agency created by Article V, Section 17 of the New Mexico Constitution and enabled by the State Ethics Commission Act. The Commission's initial Commissioners were appointed on July 1, 2019. The Commission's jurisdiction and enforcement authority began on January 1, 2020.

Structure

The Commission is comprised of seven Commissioners and chaired by a retired judge. The State Ethics Commission Act sets forth both the qualifications to serve as a Commissioner and a procedure for appointing Commissioners that ensures an independent commission: The Governor appoints the Chair, who must be a retired judge. The Speaker of the House, the House Minority Floor Leader, the President Pro Tempore of the Senate, and the Senate Minority leader each appoint a Commissioner. The legislatively appointed Commissioners appoint two other Commissioners.

No more than three Commissioners may be members of the same political party. Except for the initial Commissioners, the Commissioners are appointed for staggered terms of four years. No Commissioner may serve more than two consecutive four-year terms. Commissioners are removable for cause only, following a removal proceeding before the New Mexico Supreme Court. The seven current Commissioners are listed at Appendix I, *infra*.

The Commission hires an Executive Director, who in turn hires the staff, including the Commission's General Counsel. Both the Executive Director and the General Counsel are term-limited positions established by statute. The current and founding Executive Director is Jeremy Farris. The founding General Counsel, Walker Boyd, concluded his term in FY25 and was succeeded by Zachary Goodrich, former Executive Director of the Iowa State Ethics Commission.

Agency Powers

The Commission has six core responsibilities:

(1) to investigate and adjudicate administrative complaints alleging violations of New Mexico's ethics laws;

(2) to investigate and prosecute violations of the ethics laws through civil enforcement actions in state court;

(3) to provide guidance to public officers, employees, and the public about New Mexico's governmental conduct, procurement and disclosure laws;

(4) to investigate and prosecute in administrative proceedings violations of New Mexico's Revised Uniform Law on Notarial Acts;

(5) to investigate and prosecute violations of the Nondisclosure of Sensitive Personal Information Act; and

(6) to make annual recommendations to the Governor and the Legislature regarding amendments to New Mexico's ethics laws.

First, the Commission may investigate and adjudicate administrative complaints against state government officials, employees, candidates, lobbyists and contractors. These administrative complaints must allege violations of the Campaign Reporting Act, the Financial Disclosure Act, the Gift Act, the Lobbyist Regulation Act, the Voter Action Act, the Governmental Conduct Act, the Procurement Code, the State Ethics Commission Act, or Article IX, Section 14 of the New Mexico Constitution, commonly known as the "Anti-Donation Clause." The Commission may also issue advisory opinions upon appropriate request, opinions which may bind the Commission's decisions in future administrative adjudications.

Second, under its discretionary, executive power, the Commission may investigate and initiate enforcement actions in state court to remedy violations of New Mexico's ethics laws, including the Governmental Conduct Act, the Procurement Code, the Financial Disclosure Act, and the Campaign Reporting Act. The Commission may also initiate administrative proceedings and petition state district courts to issue subpoenas related to investigations.

Third, the Commission provides guidance to government officers and employees and members of the public about New Mexico's ethics and disclosure laws. The Commission fulfills this responsibility by answering requests for advice through either advisory opinions or informal advisory letters and by offering trainings and guidance materials for public officials and employees. The Commission also provides trainings and presentations to associations that support public officials and employees, including the Municipal League, New Mexico Counties, the New Mexico Public Procurement Association, the New Mexico Society of Certified Public Accountants, and members of the New Mexico State Bar. The Commission's advisory opinions are published by the New Mexico Compilation Commission and are publicly available on www.NMOneSource.com. The Commission has also issued a model code of ethics at 1.8.4 NMAC, which is available for state agencies to adopt in whole or in part.

Fourth, under the Revised Uniform Law on Notarial Acts ("RULONA"), the State Ethics Commission has authority to "deny, refuse to renew, revoke, suspend or impose a condition on a commission as a notary public for any act or omission that demonstrates that the individual lacks the honesty, integrity, competence or reliability to act as a notary public . . . ." NMSA 1978, § 14-14A-22(A) (2021). Under this authority, the Commission investigates and adjudicates complaints against notaries public. These administrative cases are handled separately from the Commission's ethics docket, and they reflect a growing and significant part of the Commission's work.

Fifth, under the Nondisclosure of Sensitive Personal Information Act, the State Ethics Commission has authority to institute civil actions in district court to address or prevent the unlawful disclosure of sensitive personal information by state agency employees. "Sensitive personal information" includes, among other categories, an individual's status as a recipient of public assistance or as a crime victim; sexual orientation, gender identity, disability, medical condition, immigration status, national origin, or religion; and social security number or individual tax identification number. The Act prohibits intentional disclosures outside the agency except in limited, enumerated circumstances.

Sixth, the Commission is tasked to make an annual report to the Governor and the Legislature for amendments to statutes relating to the Commission's jurisdiction and New Mexico's ethics laws, including New Mexico's governmental conduct, procurement, campaign finance reporting, and financial disclosure statutes.

The Commission also has several responsibilities that flow from the core functions described above. The Commission periodically issues and amends administrative rules governing the issuance of advisory opinions (1.8.1 NMAC), commissioner recusals (1.8.2 NMAC), and administrative hearing procedures (1.8.3 NMAC). The Commission also provides the Legislature and the Governor with annual reports on its activities and potential amendments to the laws under the Commission's jurisdiction. Additionally, to foster a community of attorneys in New Mexico that are familiar with the Commission and the state's ethics laws, the Commission annually recruits law students at both the University of New Mexico School of Law and out-of-state law schools for paid summer associate positions with the Commission.

Major Events and Accomplishments (FY26)

Civil Enforcement Actions and Pre-Litigation Settlements:

(a) State Ethics Commission v. Alisha Tafoya Lucero, D-101-CV-2025-02343.

During FY26, the State Ethics Commission took a series of steps to establish and exercise its authority to enforce the newly enacted Nondisclosure of Sensitive Personal Information Act ("NSPIA"). The law, which took effect July 1, 2025, generally prohibits state employees from disclosing sensitive personal information—including a person's immigration status and national origin—outside their agency, except in limited circumstances.

The Commission's work began after it learned that employees of the New Mexico Corrections Department's Adult Probation and Parole Division were sharing probationers' immigration status and national origin with federal immigration authorities. Before bringing an enforcement action, however, the Commission faced an important legal question: federal statutes had been cited as potentially limiting states' ability to prohibit the sharing of immigration information. In September 2025, the Commission therefore asked a New Mexico state court to determine whether federal law prevented the Commission from enforcing NSPIA against the Corrections Department.

The Corrections Department moved that case from state court to federal court. The Commission challenged the removal and successfully obtained an order returning the case to New Mexico state court on March 25, 2026.

At the same time, the Commission continued gathering evidence concerning the Corrections Department's practices. That work indicated that, even after NSPIA took effect, probation and parole employees continued sharing protected information with U.S. Immigration and Customs Enforcement ("ICE") and that those disclosures had facilitated the arrests of New Mexico probationers.

Subsequent development: Following the close of FY26, the Commission moved from asking the courts to confirm its authority to enforce NSPIA to exercising that authority directly. On July 10, 2026, the Commission filed a civil enforcement action against Corrections Department Secretary Alisha Tafoya Lucero alleging ongoing violations of NSPIA. The Commission is seeking a court order stopping further unlawful disclosures and requiring the Department to adopt policies, training, and disciplinary measures designed to prevent future violations.

Read original documents here: (1) State Ethics Commission's Complaint for Declaratory Judgement; (2) State Ethics Commission's Amended Complaint.

(b) State Ethics Commission v. Joseph Shepard, D-117-CV-2025-00260.

The State Ethics Commission continued to advance its civil enforcement action against Joseph Shepard, former president of Western New Mexico University ("WNMU"), alleging that Shepard violated the Governmental Conduct Act by using public resources for private purposes.

The Commission filed the action on June 27, 2025, just before the beginning of FY26. The lawsuit alleges that Shepard directed a university capital project—originally intended to construct an ADA-compliant accessibility ramp—to instead include an expanded patio adjacent to a university property where events associated with his daughter's wedding were later held. The Commission alleges that Shepard directed and accelerated the project and authorized additional publicly funded grading, utility, landscaping, and brickwork expenditures that served his private interests. The originally planned ADA accessibility ramp was not constructed.

During FY26, the case moved into active litigation. The parties exchanged evidence and information through the discovery process, and the Commission worked to develop the factual record underlying its claims. In April 2026, the court entered a scheduling order establishing the path toward trial, including deadlines for expert witnesses, completion of discovery, and dispositive motions.

Subsequent development: The Commission has continued developing the evidentiary record through depositions, discovery, and litigation of motions arising in the case. Discovery is scheduled to conclude in April 2027, followed by final pretrial proceedings. The case is currently scheduled for a jury trial docket beginning June 28, 2027.

The Commission seeks civil penalties, repayment of public funds allegedly used for Shepard's private benefit, and other appropriate relief under the Governmental Conduct Act.

Read the original documents here: (1) the Commission's complaint in State Ethics Commission v. Shepard.

(c) State Ethics Commission ex rel. Village of Angel Fire v. Lindsey, et al., D-809-CV-2024-00091.

During FY26, the State Ethics Commission successfully concluded a major civil enforcement action involving a $1 million no-bid contract entered into by the Village of Angel Fire.

The Commission originally filed the action in 2024 after the Village entered into a contract with Carristo Creative Consulting LLC for a broad range of advertising and marketing services without using a competitive procurement process. The Commission alleged that Mayor Barry Lindsey and others improperly treated the contract as exempt from the Procurement Code because it involved "advertising," even though the contract covered extensive services including branding, strategy, research, marketing, content creation, public relations, and website design.

The Commission's enforcement action produced corrective results before the case reached trial. The Village canceled the challenged contract and conducted a competitive procurement. Carristo Creative settled with the Commission and repaid money it had received through unlawful prepayment, and the Village's Chief Procurement Officer also entered into a settlement agreement with the Commission.

The litigation also established an important principle for public contracting in New Mexico. In June 2025, the district court ruled in the Commission's favor on a key legal issue, holding that the Procurement Code's limited exemption for purchasing advertising space does not allow government agencies to avoid competitive procurement requirements when contracting for broader marketing, branding, consulting, and related services.

The remaining question was whether Mayor Lindsey had knowingly violated the Procurement Code. That question proceeded to a jury trial during FY26. On February 18, 2026, the jury returned a verdict in the Commission's favor, finding that Lindsey knowingly violated the Procurement Code.

The case resulted in the cancellation and competitive rebidding of an unlawful $1 million contract, recovery of improperly prepaid public funds, settlements with other parties, a court ruling clarifying the application of New Mexico's competitive procurement requirements, and a jury finding that the mayor knowingly violated state procurement law.

Read the original documents here: (1) Jury Verdict; (2) Order Granting Plaintiff's Motion for Partial Summary Judgment; (3) Settlement Agreement between and among the New Mexico State Ethics Commission and Carristo Creative Consulting, LLC; (4) Settlement Agreement between and among the New Mexico State Ethics Commission and Julie Kulhan, in her official capacity as Chief Procurement Officer for the Village of Angel Fire.

(d) State Ethics Commission v. Elevate New Mexico, D-202-CV-2026-03769.

During FY26, the State Ethics Commission took enforcement action to bring greater transparency to a large-scale advertising campaign intended to influence state officials considering permits for Project Jupiter, a proposed data center campus in Doña Ana County.

From February through March 2026, Elevate New Mexico, a Virginia-based organization, conducted an extensive advertising campaign supporting air quality permits needed to construct two natural-gas-fueled microgrid power plants associated with Project Jupiter. The campaign included digital advertisements, direct mail, and an online advocacy platform encouraging members of the public to contact New Mexico Environment Department officials in support of the permits.

New Mexico's Lobbyist Regulation Act requires organizations that spend more than $2,500 on advertising for the purpose of lobbying to register with the Secretary of State and publicly disclose the contributions received and expenditures made for the campaign. Elevate did neither. The Commission initially sought Elevate's voluntary compliance with these transparency requirements. After Elevate declined to comply, the Commission unanimously authorized a civil enforcement action and filed suit in April 2026 seeking to require the organization to register and disclose who financed the campaign and how those resources were spent.

Subsequent development: The Commission's enforcement action resulted in a settlement executed in July 2026 requiring Elevate to register its lobbying advertising campaign and make the disclosures required by state law. Those disclosures revealed for the first time the financial resources behind the campaign: Elevate reported receiving $3.667 million from Yucca Growth Infrastructure LLC, the developer seeking the permits, and spending $419,478.44 on advertising through digital and social media, television, billboards, direct mail, and other channels.

The case demonstrates the practical importance of the Lobbyist Regulation Act's transparency requirements. Through its enforcement action, the Commission made information about the source, scale, and use of money spent to influence an important state governmental decision available to New Mexicans.

Read the original documents here: (1) State Ethics Commission's Complaint; (2) Settlement Agreement; (3) Elevate New Mexico's Expenditures; (4) Elevate New Mexico's Contributions.

(2) Pre-litigation settlement agreements

In the following matters, the Commission authorized its attorney staff to file a civil enforcement action to remedy violations of New Mexico's ethics laws and entered into a settlement agreement without the need to file claims in state district court.

(a) Deming City Officials – Councilor Irma Rodriguez, Councilor Joe "Butter" Milo, and City Manager Aaron Sera

On October 8, 2025, the Commission announced pre-litigation settlements with Deming City Councilors Irma Rodriguez and Joe "Butter" Milo, with related compliance obligations involving City Manager Aaron Sera, resolving alleged violations of the Governmental Conduct Act. The Commission alleged that Councilor Rodriguez violated Section 10-16-7(B) by failing to disclose her ownership interest in Triadic Enterprises when the City of Deming contracted with that business. In a separate matter, the Commission alleged that Councilor Milo failed to disclose his ownership interest in J&J Printing, Inc. during City contracting and failed to recuse himself from a vote affecting the Rio Mimbres Corporation, in which he and his spouse held stock, in violation of Section 10-16-4(B). Finally, the Commission alleged that City Manager Sera and his spouse held interests in Rio Mimbres Corporation at the time Mr. Sera was empowered to negotiate its sale to the City, also implicating Section 10-16-4(B).

To resolve these matters without litigation, Councilor Rodriguez agreed to pay a $500 civil fine and ensure that her ownership interest in Triadic Enterprises is disclosed on the City of Deming's website. Councilor Milo agreed to renounce, along with his spouse, all interests in Rio Mimbres Corporation; disclose his ownership of J&J Printing, Inc. on the City's website; and remit $200 to the State of New Mexico. City Manager Sera and his spouse voluntarily renounced their interests in Rio Mimbres Corporation to avoid any alleged unlawful benefit; Mr. Sera resolved the matter without a formal settlement agreement.

Read the full settlement agreements here: (1) Memorialization of the verbal Settlement Agreement between the New Mexico State Ethics Commission and Irma Rodriguez (2) Settlement Agreement between the New Mexico State Ethics Commission and Joe Milo

Investigation and Adjudication of Administrative Complaints:

- In FY26, the Commission received, investigated and adjudicated 58 administrative complaints alleging violations of New Mexico's ethics and disclosure laws. At present, two of the 58 administrative matters filed during FY26 are still pending.

Advisory Opinions:

The State Ethics Commission may issue advisory opinions requested in writing by "a public official, public employee, candidate, person subject to the Campaign Reporting Act, government contractor, lobbyist or lobbyist's employer." NMSA 1978, § 10-16G- 8(A)(1). Under the State Ethics Commission Act, requests for advisory opinions are confidential and not subject to disclosure under the Inspection of Public Records Act. Additionally, advisory opinions are binding on the Commission in any subsequent administrative proceeding concerning a person who acted in good faith and in reasonable reliance on an advisory opinion.

In FY26, the Commission issued 16 advisory opinions, available on www.NMOneSource.com, and 32 advisory letters. The advisory opinions covered several of the laws under the Commission's authority:

Advisory Opinion 2025-05

Question: A request sought guidance on how the Governmental Conduct Act and related ethical statutes apply to legislative staff, including both district legislative aides and staff serving in leadership offices.

Conclusion: Legislative staff are not categorically prohibited from contracting with state or local government entities or from holding outside employment. A staff member may be awarded a contract with a state agency or lease property to the state if the arrangement is made through a competitive process and the staff member's interest in the contract or lease is publicly disclosed. Staff may also serve as subcontractors on state-funded projects or hold contracts with local governments, subject to the same disclosure and ethical requirements that apply to public employees generally.

However, legislative staff must avoid conflicts of interest by disclosing any outside employment or financial interest that could be affected by their official duties. They must use the powers and resources of state employment solely for the public good, refrain from taking official acts that could affect their financial interests, and avoid acquiring new financial interests—including negotiating for employment—where they should have reason to believe their official actions will affect those interests.

Advisory Opinion 2025-06

Question: A request sought clarification on whether hosting an annual legislative reception that provides food, beverages, and guest speakers for legislators constitutes lobbying activity under the Lobbyist Regulation Act. The inquiry described an event sponsored by a political membership organization whose members occasionally discuss legislation with legislators and where most lobbyists are volunteers.

Conclusion: The reception, as described, appears to be a social event intended to provide general information and does not by itself constitute lobbying activity. However, if expenditures for the event are made in support of or opposition to pending legislation or official action consistent with the organization's legislative platform, the organization may be required to file an expenditure report. Individual members who independently discuss specific legislation with legislators may also have registration or reporting obligations if they meet the definition of "lobbyist." Members who approach legislators on their own behalf, rather than on behalf of the organization, would fall within an exception to that definition.

Advisory Opinion 2025-07

Question: A request sought clarification on whether campaign funds may be used to pay for security-related expenses—including security devices, professional security personnel, and cybersecurity software or services—when such expenses are incurred as a direct result of campaign activity or holding public office.

Conclusion: Under the Campaign Reporting Act, a candidate may use campaign funds to pay for security expenses that are reasonably attributable to campaign activities. A legislator may also use campaign funds to cover comparable security expenses that arise directly from legislative duties and would not exist but for those duties. Other public officers, however, may not use campaign funds to cover security or other expenses incurred solely as a result of holding public office.

Advisory Opinion 2025-08

Question: A request sought guidance on the ethical implications of a legislator entering into a specific private consulting agreement with a corporation, including whether the terms of the proposed contract raised concerns under the Governmental Conduct Act, constitutional provisions, or other state ethics laws.

Conclusion: The proposed consulting agreement presents several ethical considerations a legislator must evaluate before entering into such an arrangement. These include the legislator's fiduciary duties to treat the office as a public trust, statutory restrictions on compensated representation before state agencies, limitations on attempting to influence legislation in exchange for compensation, and prohibitions on disclosing confidential information. If the legislator ultimately enters into the agreement, any income exceeding $5,000 received under the contract must be reported on the legislator's annual financial disclosure statement.

Advisory Opinion 2025-09

Question: A request sought clarification on whether a state agency's contractor qualifies as a "restricted donor" under the Gift Act, and whether state employees may accept an all-expenses-paid trip from that contractor to attend an out-of-state training conference.

Conclusion: A company holding a contract with a state agency is a "restricted donor" under the Gift Act. While state employees are generally prohibited from accepting from a restricted donor a gift of a market value greater than $250, state employees may accept reasonable travel, meal, and lodging expenses from a restricted donor when those expenses fund a bona fide educational program that is directly related to the employees' official duties. Expenses that meet these criteria do not constitute a "gift" under the Gift Act.

Advisory Opinion 2026-01

Question: Given the provisions contained in Section 10-16-3(A) of the Governmental Conduct Act, would it constitute a violation of the Governmental Conduct Act for practicing attorneys serving as legislators (who have personally benefited from and stand to further benefit from lawsuits alleging medical malpractice) to vote on measures related to caps on judgments and/or settlements stemming from such lawsuits?

Conclusion: No. While a legislator's conflicted vote might constitute a violation of a rule of procedure of the legislator's respective house, it does not make out a violation of the Governmental Conduct Act.

Advisory Opinion 2026-02

Question: The Commission received a request from a state agency which entered into a small purchase contract for professional services with a contractor whose spouse subsequently became an employee of another state agency. The requesting state agency explained it is in the process of amending the contract as to the contract's scope and compensation terms. As part of the amendment process, the State Purchasing Division of the General Services Department requires an Agency Certification Form and Affidavit. The Affidavit requires the contractor verify that the contract was not awarded via a sole source or small purchase procurement method, which the vendor is unwilling to sign because the original contract was procured under a small purchase procurement method.

The request seeks guidance on whether Section 10-16-7(A) of the Government Conduct Act applies to the contract amendment given that the contractor's spouse was not a public employee until after the original contract was signed

Conclusion: By amending the contract to include compensation for additional work, the agency is affirmatively entering into an agreement for the provision of services with the family of a public employee. Consequently, Section 10-16-7(A) of the Governmental Conduct Act applies to the contract amendment, requiring public notice of the public employee's interest in the contract and the contract must be procured by a competitive process, particularly because the contract was not originally awarded pursuant to a competitive process and there has been no public notice of the public employee's interest.

Advisory Opinion 2026-03

Question: The request presented scenarios related to three different municipal public officials who hold significant financial interests in companies contracting with the municipality and seeks guidance on the applicability of the Governmental Conduct Act.

Conclusion: 1. The first public official's company is permitted to bid for a contract with the municipality under the Governmental Conduct Act, provided the public official's substantial interest is disclosed through public notice, the contract is awarded pursuant to a competitive process, the public official does not take any official acts concerning the contract, and the public official does not participate in the preparation of the criteria for the contract.

2. The second public official is also permitted to contract with the municipality, but similarly must comply with the recusal and disqualification provisions of Section 10-16-4, any contract with the public official must be the product of a competitive process and the commissioner's substantial interest in the contract must be disclosed, and the public official may not both be involved in the creation of the criteria for a certain bid or proposal as well as submit a bid or proposal on the same project. Further, the second public official must be careful not to misuse the powers and resources of public office in any participation before the municipality's governing body or its committees on behalf of the public official's company or clients.

3. The municipality's current practices to ensure written disclosure by contractors employing the services of a public officer, public announcement by the public officer of the financial interest at a public meeting, recusal from the decision involving a potential contractor's bid, and adherence to the competitive bid process for all bids

incorporate the requirements of the Governmental Conduct Act in addition to being good practices that encourage disclosure, competitive bidding processes, and prudent recusals.

Advisory Opinion 2026-04

Question: Under the Governmental Conduct Act, may an individual who serves on a local school board and who is also responsible for approving certain financial decisions for the same school board in their role as a state employee hold these dual roles despite a potential conflict of interest?

Conclusion: Yes, the individual would be allowed to hold the dual roles under the Governmental Conduct Act so long as the individual: (1) recuses from matters in their role as a state employee that would affect the school board to avoid any functional incompatibility between the two positions under state law; (2) discloses to the state agency employer any potential conflicts with the local school board, as well as disclose to the local school board to the extent there is a potential conflict in the individual's dual roles; and (3) fairly and impartially effectuates their duties as both a school board member and as a state employee.

Advisory Opinion 2026-05

Question: May a former legislator use campaign funds to purchase advertising space in a local newspaper to address a lawsuit that arose directly from the former legislator's official duties as a legislator and which involved action taken in the former legislator's legislative capacity, where the proposed advertisement would discuss the outcome of the lawsuit and provide information to the public regarding the matter?

Conclusion: A former legislator may expend campaign funds for press expenses incurred in connection with legal proceedings arising directly from the legislator's official duties as a legislator, so long as the expenditures would not exist if the legislator had not held legislative office.

Advisory Opinion 2026-06

Question: Under the Governmental Conduct Act and other ethics laws within the Commission's jurisdiction: Is it permissible for an individual to simultaneously hold the positions of a state board supervisor and New Mexico Secretary of State? If so, what safeguards (including recusals, disclosures, or other measures) are necessary to ensure compliance and maintain public trust? If not, what specific statutory or ethical provisions render the offices incompatible?

Conclusion: The Governmental Conduct Act would not prohibit one individual from holding the dual roles of a state board supervisor and Secretary of State, so long as the individual is able to adhere to the duties of loyalty and care inherent in holding each position as a public trust. Further, as to whether the positions are "incompatible" under New Mexico law, it is unlikely from the facts provided that there is an inconsistency in the functions of the two offices which would result from one person attempting to faithfully and impartially discharge the duties of each position.

Advisory Opinion 2026-07

Question: This request concerns a county commissioner's permissible use of campaign funds under the Campaign Reporting Act in their upcoming reelection. Specifically, the requester asks if they can use campaign funds to create informational media, such as an online FAQ or postcards, about a public issue that was a priority during their last campaign. The requester is running unopposed and wants to use the campaign funds to create an awareness campaign around the issue.

Conclusion: Under New Mexico's Campaign Reporting Act ("CRA"), campaign funds may only be used for expenditures reasonably attributable to a candidate's campaign and not for personal use or expenses that would exist regardless of the campaign. The county commissioner, however, may spend campaign funds to discuss and raise awareness about a public issue if the deliverables of this effort are part of their reelection campaign—even if they are running unopposed.

Advisory Opinion 2026-08

Question: This request concerns Section 10-16-8 of the Governmental Conduct Act regarding the employment of a retired employee as a contractor with their former agency. Specifically, the request asks if a retired state employee may come back to their agency as a contractor to provide training after six months, when the proposed contract was not contemplated nor discussed by the retiree or any state employees before the retiree's retirement.

Conclusion: Yes. The retired state employee can come back to their agency as a contractor to provide training, based on the facts presented in the request, for two reasons. First, the retired state employee did not contemplate or discuss the training contract while employed as a state employee. Consequently, the retired employee did not take an official act that could have directly resulted in the contract's approval or disapproval. Second, the retired state employee would not be representing a person on a matter in which the retired employee participated personally and substantially; nor would the employee be representing for pay a person before the agency where they were formerly employed.

Advisory Opinion 2026-09

Question: This request concerns three questions asked on behalf of a community college regarding the Governmental Conduct Act ("GCA") and the Procurement Code: 1. Under the Governmental Conduct Act, can a member of the community college's board also serve as the executive director of a nonprofit that receives grant funding awarded through the college through a no-bid, small professional services contract?

2. Under the Governmental Conduct Act, may the board member seek out other services from the community college for the nonprofit, such as office space and intern assignments, through memorandums of understanding?

3. Under the Procurement Code, is the board member who is serving as the executive director of a nonprofit required to disclose campaign contributions to themselves in bidding for a contract with the community college?

Conclusion: 1. The board member would be permitted to hold the dual roles under the GCA so long as the board member (1) fairly and impartially effectuates their duties as a board member; (2) avoids using their position as a board member for personal or private gain; (3) adheres to certain recusal and disclosure requirements under the GCA; and (4) discloses their employment in writing as the executive director to the community college.

2. The board member would be permitted to seek out other services from the community college for the nonprofit under the GCA so long as the board member avoids any favorable treatment by fully disclosing any conflicts of interest, properly recusing themselves from official acts when appropriate, and not using any confidential information acquired as a board member for the nonprofit's private gain.

3. The board member should disclose campaign contributions that they make to, or accept in their own capacity as, any "applicable public official" if the following conditions are met under the Procurement Code. If the board member, or a family member or representative of the board member, has received, or given to another board member, any contributions with an aggregate total exceeding two hundred fifty dollars ($250) over the two-year period prior to the date on which the board member signs the contract, the board member must disclose those campaign contributions to the community college. Failure to disclose could lead to the cancellation of the contract.

Advisory Opinion 2026-10

Question: This request concerns Section 10-16-8 of the Governmental Conduct Act (GCA) regarding the employment of a former state agency staff attorney as a contracted agency attorney. Specifically, the request asks if the state agency can immediately enter into a small professional services contract with the attorney to represent the same clients.

The attorney did not have any finance, procurement, or strategic planning functions while working for the state agency and did not have any involvement in the decision-making process or creation of the contract. The attorney did not and will not represent the same clients in front of the state agency because the agency does not hear matters in any adjudicatory capacity.

Conclusion: Under Section 10-16-8 of the GCA, the agency may not enter a small professional services contract with the attorney who resigned because they are representing the same clients as a contractor as they did when she was an attorney for the agency. Note that this opinion only analyzes the inquiry under the GCA, and not the application of the Rules of Professional Conduct for attorneys, Rule Set 16 NMRA.

Advisory Opinion 2026-11

Question: This request concerns whether a state legislator may accept payment for their travel expenses to accept an award from a lobbyist employer ("the organization") at a recognition ceremony. The request states that the legislator's recognition is not associated in any way with their election campaign and that the primary nature of the legislator's travel is to accept the award without providing a speech or service at the recognition ceremony.

Conclusion: Under the Gift Act, the organization may pay for the legislator's travel expenses to accept the award. How much the organization may pay, however, depends on whether the organization is repaying the New Mexico State Legislature for covering the legislator's travel expenses, or the organization is paying the legislator directly. If the State Legislature deems the trip to lie within the legislator's official duties and pays their travel expense, for which the organization reimburses the State Legislature, then full payment for their travel expenses would be allowed under an exception to the Gift Act. If the organization directly reimburses the legislator for their travel expenses, then the Gift Act only permits the organization to make such payments in the amount of $250 or less, not to exceed a total of $1000 within each calendar year.

Additionally, the organization would likely not be able to directly reimburse the legislator for these travel expenses under the Governmental Conduct Act's (GCA) honoraria provision, because it does not appear that the legislator will make a speech or render a service for the organization at the event.

Lastly, as a registered lobby group, the organization would need to report its expenditure on travel expenses under the Lobbyist Regulation Act.

Education and Trainings, Compliance, and RULONA

- In FY26, delivered 16 separate trainings to legislators, legislative committees and staff, state agencies, state boards and commissions, local governments, universities, affiliate and professional organizations, and bar associations around New Mexico.

- Since January 1, 2022, when the Commission was assigned jurisdiction for notaries public the Commission has received, investigated, or prosecuted over 96 separate administrative matters involving a potential remedial action against a notary public's commission under RULONA. In FY26, the Commission received 26 administrative matters related to notaries public.

Capacity-Building Accomplishments:

- In FY26, the Commission filled a vacant staff attorney position.

- In FY26, the Commission engaged a contract attorney to provide additional legal capacity in response to the Commission's increasing workload.

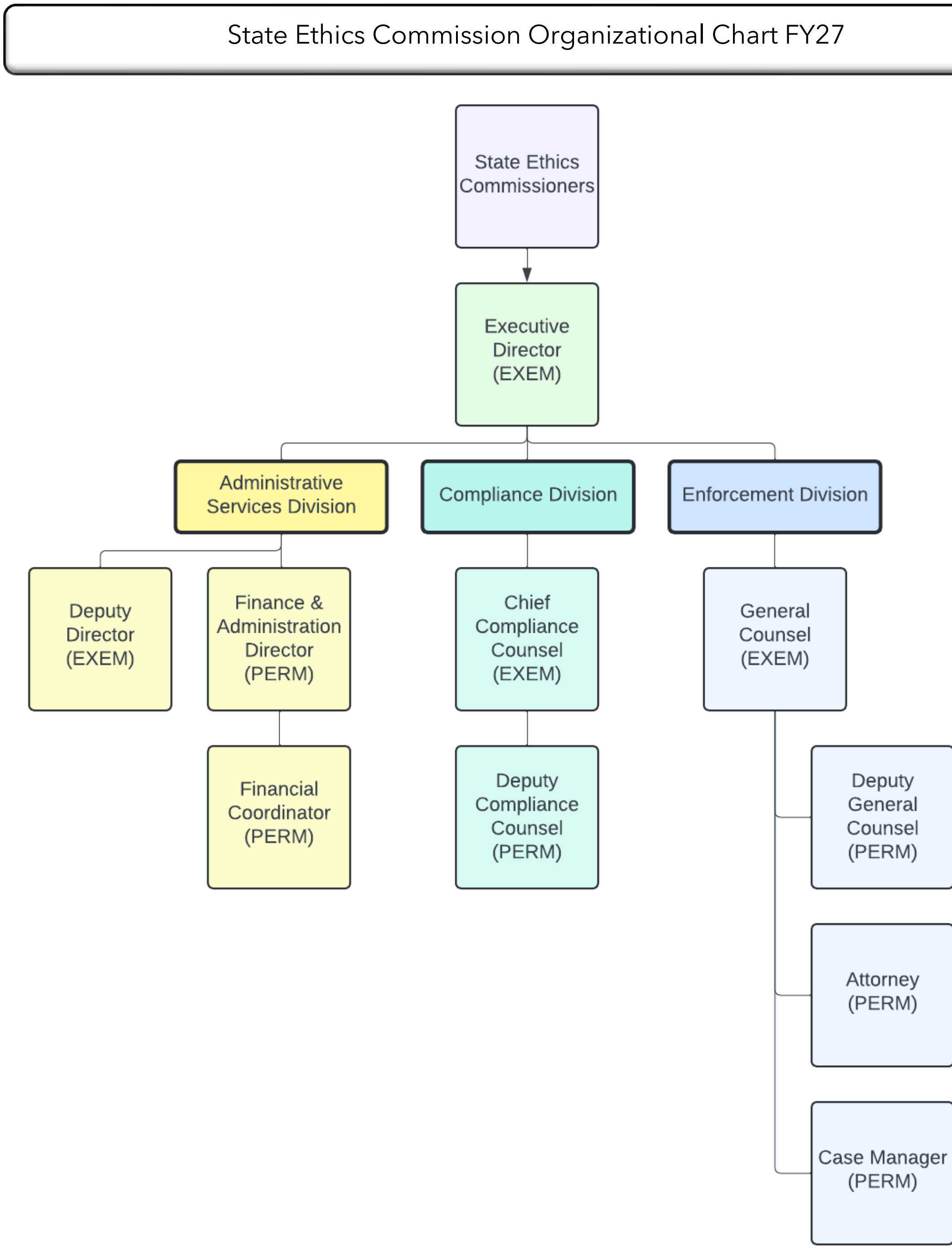
- In FY26, the Commission hosted its seventh class of law student summer associates—one student from the University of New Mexico School of Law and one from Creighton University School of Law.

- In FY26, the Commission hosted a Thornburg Fellow, a student in the University of New Mexico's Master of Public Policy program.

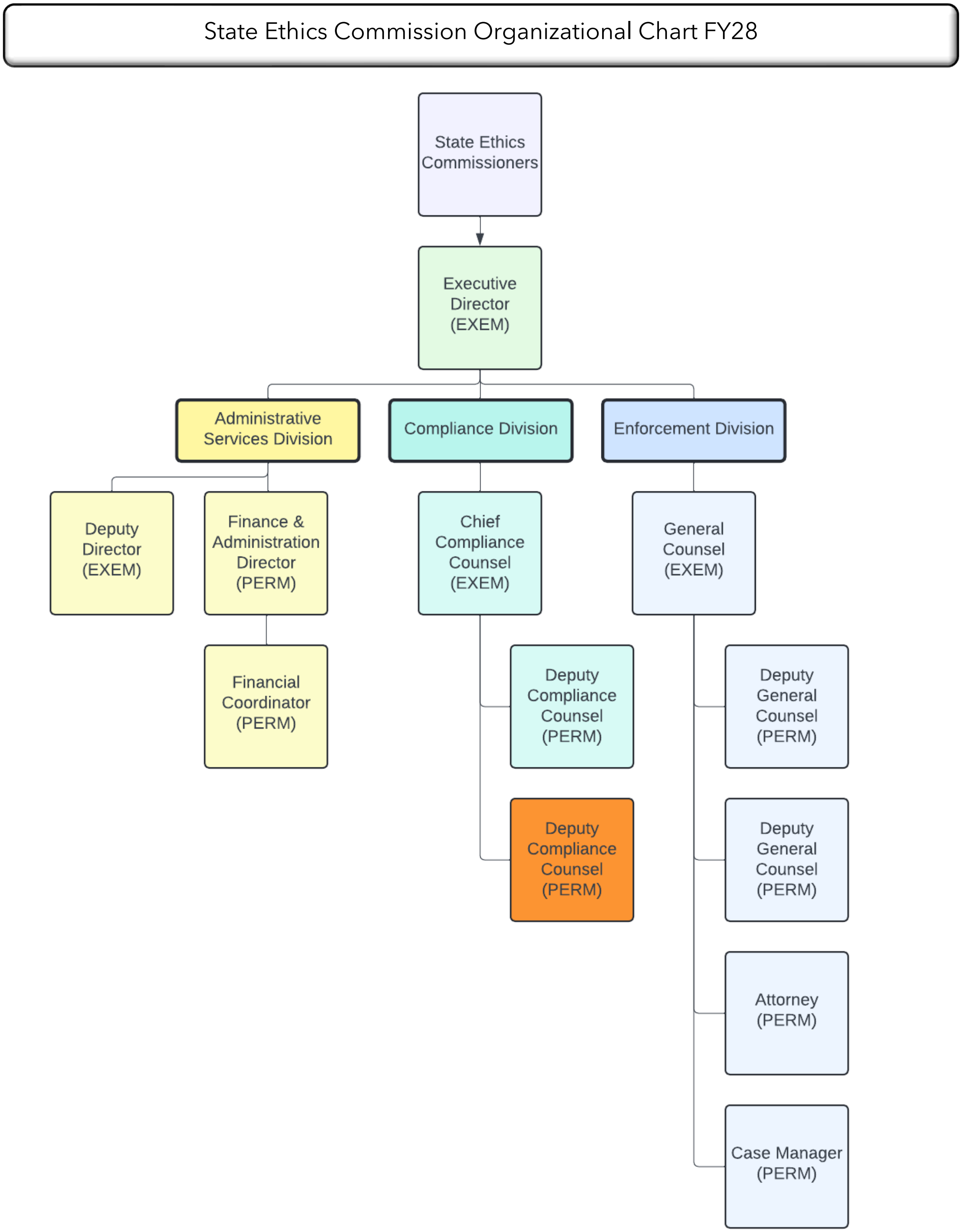
- In FY26, the Commission hosted undergraduate interns from Georgetown University and Loyola Marymount University.

Organizational Structure

State Agency Organizational Chart (FY27):



State Agency Organizational Chart (FY28):



*The position in orange in the above chart reflects the additional position that the Commission seeks as part of its FY28 budget request.

FY28 Objectives and Strategic Actions

Through FY28, the Commission will retain the same basic objectives as in previous fiscal years: investigation and adjudication of administrative complaints; enforcement of New Mexico's governmental conduct, procurement and disclosure laws; guidance and education; and building the agency's capacity and visibility. Looking forward to FY28, the Commission proposes the following strategic actions.

ADMINISTRATIVE ADJUDICATION

The Commission's primary function is the investigation and adjudication of administrative complaints filed either by members of the public or referred by other state agencies. In FY28, the Commission intends to take the following strategic actions to improve its administrative adjudications:

Strategic Actions

- Assign and delegate dedicated attorney staff to issue initial notices, jurisdictional determinations, referrals to other agencies, investigations, and findings of probable cause for administrative cases filed in the Commission subject to the State Ethics Commission Act.
- Continue contracting for hearing-officer services with a retired state judge or retired federal magistrate or bankruptcy judge and with the Administrative Hearings Office.
- Improve the efficiency of complaint filings and other submissions to the Commission by developing an online assessment to determine if an issue falls within the Commission's jurisdiction or implicates the Commission's enforcement authority and the appropriate type of complaint to file.

ENFORCEMENT

The Commission may pursue civil enforcement actions in state court to prevent or remedy violations of the laws provided for in Section 10-16G-9(A) of the State Ethics Commission Act, including the Governmental Conduct Act, the Procurement Code, and the Campaign Reporting Act. This discretionary authority is the Commission's greatest tool to directly vindicate New Mexico's ethics laws. In FY28, the Commission intends to take the following strategic actions to enable and effectuate its enforcement authority:

Strategic Actions

- Enter into and operate under an interagency agreement with the New Mexico Department of Justice and the Office of the State Auditor regarding referrals, information sharing, parallel enforcement, and training.
- Contract for paralegal services to support the Commission's attorneys in the investigation and prosecution of civil enforcement actions and special statutory proceedings.

- File and litigate enforcement actions in state court as necessary and participate as *amicus curiae* on appellate cases implicating New Mexico's ethics laws.
- Review databases of filings under the Campaign Reporting Act, the Lobbyist Regulation Act, and the Financial Disclosure Act.

GUIDANCE AND EDUCATION

The Commission has the responsibility to provide guidance on the Governmental Conduct Act, the Procurement Code and other of the state's ethics and disclosure laws to officials and employees across New Mexico's state and local governments. In FY28, the Commission intends to take the following strategic actions to continue and increase its guidance function:

Strategic Actions

- Subject to requested appropriations, fully fund one additional attorney position. This position would be dedicated to compliance and advisory work, enabling the Commission to issue more timely and legally sound advisory opinions and advisory letters, and to expand its education and outreach efforts.
- Research and prepare recommended amendments to the state ethics laws for consideration by members of the legislature during future legislative sessions.
- Develop and offer trainings, opinion and editorial pieces, and continuing legal education courses (and related materials) on the Governmental Conduct Act, the Procurement Code, and other laws within the Commission's authority; provide those trainings to both state agencies, local public bodies, and affiliate organizations.
- Expand ethics training through NMEdge, the State of New Mexico Enterprise Learning Management (ELM), and online platforms by developing modules and programs that provide accessible education on ethics laws for state and local government officials and employees.
- Issue advisory opinions and advisory letters upon proper request.
- Work with the New Mexico Compilation Commission to ensure that State Ethics Commission advisory opinions are published on www.NMOneSource.com and New Mexico's statutes are annotated with the growing body of State Ethics Commission advisory opinions.
- Improve the Commission's guidance function by exploring the development of an online application to provide answers to ethics questions based on the Commission's advisory opinions and advisory letters.

CAPACITY BUILDING

FY28 will be the Commission's ninth year. The Commission remains a young state agency. To further build capacity to perform its basic constitutional and statutory mandates, in FY28, the Commission intends to take the following strategic actions:

Strategic Actions

- Conduct a summer associate program for law students to develop a pipeline of New Mexico lawyers familiar with and concerned about New Mexico's ethics and disclosure laws and the Commission's work enforcing those laws.
- Relatedly, pending approval of the Commission's FY28 request, the Commission seeks to add one additional attorney position. This position would expand capacity by allowing the current compliance attorney, who now splits time between compliance (60%) and enforcement (40%), to focus exclusively on compliance, while dedicating the new position to enforcement responsibilities.

IMPROVED ENGAGEMENT WITH LOCAL GOVERNMENTS

While the Commission lacks jurisdiction for administrative complaints filed against local government officials and employees, many of New Mexico's ethics laws apply to these individuals. The Commission interacts with New Mexico local governments in two main ways: First, the Commission provides advisory letters and trainings to local government officials and employees. Second, the Commission has the discretionary authority to commence civil actions in district court to enforce violations of those ethics laws that apply to local government officials and employees. Beyond its enforcement duties and its responsibilities to provide advisory services and trainings, the Commission can more deeply engage with local governments to better ensure compliance with New Mexico's ethics and disclosure laws. To that end, in FY28, the Commission intends to take the following strategic actions:

Strategic Actions

- Host an Annual Statewide Ethics Conference to connect local ethics boards across the state, offering networking opportunities, workshops, and discussions on topics such as ethics enforcement, public trust, transparency, and the latest developments in ethics laws.
- Develop a toolkit of resources that local governments can consult to enact local ethics and disclosure ordinances and local ordinances creating local ethics boards to adjudicate local ethics complaints.
- Participate in conferences hosted by the Municipal League, the New Mexico Association of Counties, and the New Mexico Public Procurement Association to discuss best practices and to publicize the Commission's work and resources available to local governments.

REVISED UNIFORM LAW ON NOTARIAL ACTS (RULONA)

The Commission may "deny, refuse to renew, revoke, suspend or impose a condition on a commission as a notary public for any act or omission that demonstrates that the individual lacks the honesty, integrity, competence or reliability to act as a notary public . . . ." § 14-14A-22(A). Under this authority, the Commission investigates and adjudicates complaints against notaries public. These RULONA administrative cases are handled separately from the Commission's ethics docket, and they reflect a growing and significant part of the Commission's work.

Strategic Actions

- Subject to requested appropriations, fully fund one additional attorney position. Adding this position would allow the current attorney who divides time between compliance (60%) and enforcement (40%) to shift fully to RULONA enforcement, dedicating resources to this growing docket while strengthening the Commission's overall enforcement capacity.
- Contract for paralegal services to assist Commission staff attorneys in the management of the RULONA administrative docket.
- Continue to work with the Business Services Division of the Office of the Secretary of State to ensure that Commission adverse actions on notary public commissions are reflected and made available to the public.

NONDISCLOSURE OF SENSITIVE PERSONAL INFORMATION (ARTICLE 16I)

The Commission is authorized to enforce the *Nondisclosure of Sensitive Personal Information Act*, NMSA 1978, §§ 10-16I-1 to 10-16I-4. Under this law, state agency employees are prohibited from intentionally disclosing "sensitive personal information" acquired by virtue of their position, except in narrowly defined circumstances. Sensitive personal information includes, among other things, an individual's status as a recipient of public assistance or a crime victim, sexual orientation, gender identity, disability, medical condition, immigration status, national origin, religion, or social security number. Violations may result in civil penalties of two hundred fifty dollars ($250) per violation, up to a maximum of five thousand dollars ($5,000). The Commission shares enforcement authority with the Attorney General and district attorneys and may bring civil actions in district court to prevent or penalize violations.

Strategic Actions

- Contract for paralegal services to support the Commission's attorneys in the investigation and prosecution of civil enforcement actions and special statutory proceedings.
- File and litigate enforcement actions in state court as necessary and participate as *amicus curiae* on appellate cases implicating New Mexico's ethics laws.
- Coordinate with state agencies to raise awareness of employees' obligations under the Act and provide technical assistance to ensure compliance.
- Track enforcement activity under the Act to evaluate trends, inform policy recommendations, and support transparency in the protection of sensitive personal information.

Performance Measures

Under the Accountability in Government Act, NMSA 1978, §§ 6-3A-1 to -10 (1999, as amended 2019), each state agency submits performance measures and outcomes under those measures to the State Budget Division of the Department of Finance and Administration and the Legislative Finance Committee. The Commission's performance measures were recently amended to better reflect agency performance. These amendments were made in consultation with staff of the Legislative Finance Committee and the Department of Finance and Administration. The Commission's current performance measures and outcomes are:

Existing Measure	FY26 Actual	FY28 Target
Percent of advisory opinions issued within sixty days of receipt of request.	94%	90%
Percent of ethics complaints within the agency's jurisdiction that are either disposed of or set for public hearing within 180 days after a complaint is received.	100%*	90%

* There are several reasons why the Commission sometimes requires more than 180 days to resolve an administrative complaint. There are substantial delays that can occur before a probable cause determination and a hearing. Under applicable regulations (1.8.3 NMAC), the parties to administrative cases may request extensions to deadlines. These requests are routinely made and granted. Further, the Risk Management Division of the General Services Department is required to hire and pay attorneys to represent respondents who are officers or employees of the state. Risk Management Division counsel often request extensions of time to become familiar with the case. Further, parties often elect to challenge Commission subpoenas. Litigating novel and complex issues in front of district courts and the courts of appeal is common, and these proceedings can take longer than 180 days to resolve. Last, it can also take time for the Commission's general counsel and other Commission attorneys to schedule interviews and depositions, working with the schedules of parties and witnesses.

Considerations

Three considerations are relevant to the Commission's strategic plan for FY28:

1. Since the Commission's creation on July 1, 2019, the Commission has grown in an incremental and fiscally responsible manner. With 10 funded staff positions, the Commission remains very lean in comparison to its constitutional and statutory mandate to ensure compliance with New Mexico's governmental ethics, procurement, and disclosure laws.

2. The Legislature has continued to expand the Commission's statutory responsibilities. Most recently, the Commission was given new enforcement responsibilities under the Nondisclosure of Sensitive Personal Information Act. These additional responsibilities have significantly expanded the Commission's workload and jurisdiction without a corresponding increase in funded staff positions.

3. Under Section 10-16G-10(K) of the State Ethics Commission Act, a public official or state employee who is a respondent to an administrative complaint alleging an ethics violation made in the performance of the respondent's duties shall be entitled to representation by the risk management division of the general services department. After consulting with other state ethics commissions, this provision stands as an aberration among other state ethics regimes. As a result of Section 10-16G-10(K) and considering the incentives of private attorneys providing legal defenses to their clients, administrative matters where respondents are represented by risk counsel tend to generate significant expense for the State and significant work for the Commission's attorney staff. So long as Section 10-16G-10(K) remains the law, the Commission will maintain a concern whether it has adequate attorney staff to investigate and adjudicate administrative ethics cases.

Appendix I: Current Commissioners

The current Commissioners are:

Hon. Celia Foy Castillo, Chair
Appointing authority: Governor Michelle Lujan Grisham
Term expires: June 30, 2030

Jeffrey Baker, Member
Appointing authority: Legislatively appointed Commissioners
Term expires: July 26, 2028

Stuart M. Bluestone, Member
Appointing authority: Speaker of the House, Javier Martínez
Term expires: June 30, 2027

***Vacant*, Member**
Appointing authority: President Pro Tem of the Senate, Mimi Stewart
Term expires: n/a

Hon. Gary L. Clingman, Member
Appointing authority: Legislatively appointed Commissioners
Term expires: July 26, 2028

Hon. Dr. Terry McMillan
Appointing authority: Minority Floor Leader of the Senate, Gregory Baca
Term expires: June 30, 2027

Dr. Judy Villanueva, Member
Appointing authority: Minority Floor Leader of the House, Gail Armstrong
Term expires: July 1, 2029

Appendix II: The Commission's Legal Authority

Article V, Section 17 of the New Mexico Constitution

A. The "state ethics commission" is established as an independent state agency under the direction of seven commissioners, no more than three of whom may be members of the same political party, whose terms and qualifications shall be as provided by law. The governor shall appoint one commissioner. One commissioner each shall be appointed by the president pro tempore of the senate, the minority floor leader of the senate, the speaker of the house of representatives and the minority floor leader of the house of representatives, all as certified by the chief clerks of the respective chambers. Two commissioners, who shall not be members of the same political party, shall be appointed by the four legislatively appointed commissioners.

B. The state ethics commission may initiate, receive, investigate and adjudicate complaints alleging violations of, and issue advisory opinions concerning, standards of ethical conduct and other standards of conduct and reporting requirements, as may be provided by law, for state officers and employees of the executive and legislative branches of government, candidates or other participants in elections, lobbyists or government contractors or seekers of government contracts and have such other jurisdiction as provided by law.

C. The state ethics commission may require the attendance of witnesses or the production of records and other evidence relevant to an investigation by subpoena as provided by law and shall have such other powers and duties and administer or enforce such other acts as further provided by law. (As added November 6, 2018.)

NMSA 1978, § 1-19-34.6 (2021) (Campaign Reporting Act)

A. If the secretary of state exhausts efforts in seeking voluntary compliance and reasonably believes that a person committed, or is about to commit, a violation of the Campaign Reporting Act, the secretary of state shall refer the matter to the state ethics commission for enforcement; provided, however, that if the secretary of state waives the imposition of a fine pursuant to Subsection D of Section 1-19-35 NMSA 1978, the matter shall not be referred.

B. With or without a referral from the secretary of state, the state ethics commission may institute a civil action in district court for any violation of the Campaign Reporting Act or to prevent a violation of that act that involves an unlawful solicitation or the making or acceptance of an unlawful contribution. An action for relief may include a permanent or temporary injunction, a restraining order or any other appropriate order, including a civil penalty of up to one thousand dollars ($1,000) for each violation not to exceed a total of twenty thousand dollars ($20,000), and forfeiture of any contribution received as a result of an unlawful solicitation or unlawful contribution. Each unlawful solicitation and each unlawful contribution made or accepted shall be deemed a separate violation of the Campaign Reporting Act.

C. With or without a referral from the secretary of state, the state ethics commission may institute a civil action in district court if a violation has occurred or to prevent a violation of any provision of the Campaign Reporting Act other than that specified in Subsection B of this section. Relief may include a permanent or temporary injunction, a restraining order or any other appropriate order, including an order for a civil penalty of up to one thousand dollars ($1,000) for each violation not to exceed a total of twenty thousand dollars ($20,000).

NMSA 1978, § 1-19-34.8 (2021) (Campaign Reporting Act)

A. The state ethics commission shall have jurisdiction to investigate and adjudicate a complaint alleging a civil violation of a

provision of the Campaign Reporting Act in accordance with the provisions of that act.

B. The secretary of state shall forward complaints it receives alleging violations of the Campaign Reporting Act to the state ethics commission in accordance with the provisions of the Campaign Reporting Act and a formalized agreement.

NMSA 1978, § 1-19A-15.1 (2021) (Voter Action Act)

A. The state ethics commission shall have jurisdiction to investigate and adjudicate a complaint alleging a civil violation of a provision of the Voter Action Act in accordance with the provisions of the State Ethics Commission Act [10-16G-1 to 10-16G-16 NMSA 1978].

B. The secretary of state shall forward complaints it receives alleging violations of the Voter Action Act to the state ethics commission in accordance with a formalized agreement.

NMSA 1978, § 2-11-8.2 (2021) (Lobbyist Regulation Act)

A. The secretary of state shall advise and seek to educate all persons required to perform duties pursuant to the Lobbyist Regulation Act of those duties. This includes advising all registered lobbyists at least annually of the Lobbyist Regulation Act's deadlines for submitting required reports. The state ethics commission, in consultation with the secretary of state, shall issue advisory opinions, when requested to do so in writing, on matters concerning the Lobbyist Regulation Act.

B. The secretary of state may conduct examinations of reports and the state ethics commission may initiate investigations to determine whether the Lobbyist Regulation Act has been violated. Any person who believes that a provision of the Lobbyist Regulation Act has been violated may file a written complaint with the state ethics commission pursuant to the terms of the State Ethics Commission Act [10-16G-1 to 10-16G-16 NMSA 1978]. If the commission has jurisdiction for the complaint, the state ethics commission shall refer the complaint to the secretary of state. Upon referral, the secretary of state shall attempt to achieve voluntary compliance with the Lobbyist Regulation Act. Within twenty days after receiving the complaint from the state ethics commission, the secretary of state shall return the complaint to the state ethics commission and certify to the state ethics commission whether voluntary compliance was achieved. If the secretary of state certifies voluntary compliance, the state ethics commission shall dismiss the complaint or that part of the complaint alleging a violation of the Lobbyist Regulation Act. If the secretary of state does not certify voluntary compliance, the state ethics commission shall proceed with the complaint pursuant to the terms of the State Ethics Commission Act.

C. The secretary of state and the state ethics commission shall at all times seek to ensure voluntary compliance with the provisions of the Lobbyist Regulation Act. Additionally, the state ethics commission shall give a person who violates that act unintentionally or for good cause ten days' notice to come into compliance before the commission takes any action on a complaint filed with or referred to the commission against that person.

D. Any person who fails to file or files a report after the deadline imposed by the Lobbyist Regulation Act shall be liable for and shall pay to the secretary of state fifty dollars ($50.00) per day for each regular working day after the time required for the filing of the report until the complete report is filed, up to a maximum of five thousand dollars ($5,000).

E. If the secretary of state determines that a reporting entity subject to the reporting provisions of the Lobbyist Regulation Act has failed to file or has filed a report after the deadline, the secretary of state shall by written notice set forth the violation and the fine that may be imposed and inform the reporting individual that the individual has ten working days from the date of the letter to come into voluntary compliance and to provide a written explanation, under penalty of perjury, stating any reason why the violation occurred. If a timely explanation is filed and the secretary of state determines that good cause exists to waive the imposition of a fine, the secretary of state may by a written notice of final action partially or fully waive the imposition of a fine for any late report or statement of no activity. A written notice of final action shall be sent by certified mail. The secretary of state may file an appropriate court action to remit outstanding fines for good cause or refer unpaid fines for enforcement pursuant to Subsection F of this section.

F. The secretary of state may refer a matter to the state ethics commission for a civil injunctive or other appropriate order or enforcement.

NMSA 1978, § 2-11-8.3 (2021) (Lobbyist Regulation Act)

A. The state ethics commission shall have jurisdiction to investigate and adjudicate a complaint alleging a civil violation of a provision of the Lobbyist Regulation Act in accordance with the provisions of that act.

B. The secretary of state shall forward complaints it receives alleging violations of the Lobbyist Regulation Act to the state ethics commission in accordance with the Lobbyist Regulation Act and a formalized agreement.

NMSA 1978, § 10-16-11 (2021) (Governmental Conduct Act)

. . .

C. The head of every executive and legislative agency and institution of the state may draft a separate code of conduct for all public officers and employees in that agency or institution. The separate agency code of conduct shall prescribe standards, in addition to those set forth in the Governmental Conduct Act and the general codes of conduct for all executive and legislative branch public officers and employees, that are peculiar and appropriate to the function and purpose for which the agency or institution was created or exists. The separate codes, upon approval of the responsible executive branch public officer for executive branch public officers and employees or the New Mexico legislative council for legislative branch employees, govern the conduct of the public officers and employees of that agency or institution and, except for those public officers and employees removable only by impeachment, shall, if violated, constitute cause for dismissal, demotion or suspension. The head of each executive and legislative branch agency shall adopt ongoing education programs to advise public officers and employees about the codes of conduct. All codes shall be filed with the state ethics commission and are open to public inspection.

. . .

E. All legislators shall attend a minimum of two hours of ethics continuing education and training developed and provided, in consultation with the director of the legislative council service, by the state ethics commission or a national state legislative organization of which the state is a member, approved by the director, biennially.

NMSA 1978, § 10-16-18 (2021) (Governmental Conduct Act)

A. If the state ethics commission reasonably believes that a person committed, or is about to commit, a violation of the Governmental Conduct Act, the state ethics commission may refer the matter to the attorney general or a district attorney for enforcement.

B. The state ethics commission may institute a civil action in district court or refer a matter to the attorney general or a district attorney to institute a civil action in district court if a violation has occurred or to prevent a violation of any provision of the Governmental Conduct Act. Relief may include a permanent or temporary injunction, a restraining order or any other appropriate order, including an order for a civil penalty of two hundred fifty dollars

($250) for each violation not to exceed five thousand dollars ($5,000).

NMSA 1978, § 10-16A-8 (2021) (Financial Disclosure Act)

A. If the state ethics commission reasonably believes that a person committed, or is about to commit, a violation of the Financial Disclosure Act, the commission may refer the matter to the attorney general or a district attorney for enforcement.

B. The state ethics commission may institute a civil action in district court or refer a matter to the attorney general or a district attorney to institute a civil action in district court if a violation has occurred or to prevent a violation of any provision of the Financial Disclosure Act. Relief may include a permanent or temporary injunction, a restraining order or any other appropriate order, including an order for a civil penalty of two hundred fifty dollars ($250) for each violation not to exceed five thousand dollars ($5,000).

NMSA 1978, § 10-16B-5 (2019) (Gift Act)

A. The state ethics commission may initiate investigations to determine whether the provisions of the Gift Act have been violated. A person who believes that a violation of the Gift Act has occurred may file a complaint with the state ethics commission.

B. If the state ethics commission determines that a violation has occurred, the commission shall refer the matter to the attorney general for criminal prosecution.

NMSA 1978, § 13-1-196 (2019) (Procurement Code)

Any person, firm or corporation that knowingly violates any provision of the Procurement Code is subject to a civil penalty of not more than one thousand dollars ($1,000) for each procurement in violation of any provision of the Procurement Code. The district attorney in the jurisdiction in which the violation occurs or the state ethics commission is empowered to bring a civil action for the enforcement of any provision of the Procurement Code; provided that the commission may refer a matter for enforcement to the attorney general or the district attorney in the jurisdiction in which the violation occurred. Any penalty collected under the provisions of this section shall be credited to the general fund of the political subdivision in which the violation occurred and on whose behalf the suit was brought.

NMSA 1978, § 13-1-196.1 (2019) (Procurement Code)

The state ethics commission may investigate complaints against a contractor who has a contract with a state agency or a person who has submitted a competitive sealed proposal or competitive sealed bid for a contract with a state agency. The state ethics commission may impose the civil penalties authorized in Sections 13-1-196 through 13-1-198 NMSA 1978 pursuant to the provisions of those sections.

NMSA 1978, § 10-16G-1 to –16 (2019, as amended through 2023) (State Ethics Commission Act)

§ 10–16G–1. Short Title
Sections 1 through 16 of this act may be cited as the “State Ethics Commission Act”.

§ 10–16G–2. Definitions
As used in the State Ethics Commission Act:

A. "commission" means the state ethics commission;

B. "commissioner" means a member of the commission;

C. "complainant" means a person who files a verified complaint with the commission;

D. "complaint" means a complaint that has been signed by the complainant and the complainant attests under oath and subject to penalty of perjury that the information in the complaint, and any attachments provided with the complaint, are true and accurate;

E. "director" means the executive director of the commission;

F. "government contractor" means a person who has a contract with a public agency or who has submitted a competitive sealed proposal or competitive sealed bid for a contract with a public agency;

G. "legislative body" means the house of representatives or the senate;

H. "lobbyist" means a person who is required to register as a lobbyist pursuant to the provisions of the Lobbyist Regulation Act [Chapter 2, Article 11 NMSA 1978];

I. "political party" means a political party that has been qualified in accordance with the provisions of the Election Code [Chapter 1 NMSA 1978];

J. "public agency" means any department, commission, council, board, committee, agency or institution of the executive or legislative branch of government of the state or any instrumentality of the state, including the New Mexico mortgage finance authority, the New Mexico finance authority, the New Mexico exposition center authority, the New Mexico hospital equipment loan council and the New Mexico renewable energy transmission authority;

K. "public employee" means an employee of a public agency;

L. "public official" means a person elected to an office of the executive or legislative branch of the state or a person appointed to a public agency; and

M. "respondent" means a person against whom a complaint has been filed with or by the commission.

§ 10–16G–3. State Ethics Commission Created; Membership; Terms; Removal

A. The "state ethics commission", as created in Article 5, Section 17 of the constitution of New Mexico, is composed of seven commissioners, appointed as follows:

(1) one commissioner appointed by the speaker of the house of representatives;

(2) one commissioner appointed by the minority floor leader of the house of representatives;

(3) one commissioner appointed by the president pro tempore of the senate;

(4) one commissioner appointed by the minority floor leader of the senate;

(5) two commissioners appointed by the four legislatively appointed commissioners; and

(6) one commissioner appointed by the governor, who shall be a retired judge and who shall chair the commission.

B. No more than three members of the commission may be members of the same political party.

C. The appointing authorities shall give due regard to the cultural diversity of the state and to achieving geographical representation from across the state. Each appointing authority shall file letters of appointment with the secretary of state.

D. Commissioners shall be appointed for staggered terms of four years beginning July 1, 2019. The initial commissioners appointed by the speaker of the house of representatives and senate minority floor leader shall serve an initial term of four years; members appointed by the president pro tempore of the senate and house minority floor leader shall serve an initial term of two years; members appointed by the legislatively appointed members shall serve an initial term of one year; and the member appointed by the governor shall serve an initial term of three years. Members shall serve until their successors are appointed and qualified.

E. A person shall not serve as a commissioner for more than two consecutive four-year terms.

F. When any member of the commission dies, resigns or no longer has the qualifications required for the commissioner's original selection, the commissioner's position on the commission becomes vacant. The director shall notify the original appointing authority of the vacant position. The original appointing authority shall select a successor in the same manner as the original selection was made. A vacancy shall be filled by appointment by the original appointing authority no later than sixty days following notification of a vacancy for the remainder of the unexpired term. A vacancy on the commission shall be filled by appointment by the original appointing authority for the remainder of the unexpired term.

G. The commission shall meet as necessary to carry out its duties pursuant to the State Ethics Commission Act. Commissioners are entitled to receive per diem and mileage as provided in the Per Diem and Mileage Act and shall receive no other compensation, perquisite or allowance.

H. Four commissioners consisting of two members of the largest political party in the state and two members of the second largest political party in the state constitute a quorum for the transaction of business. No action shall be taken by the commission unless at least four members, including at least two members of the largest political party in the state and two members of the second largest political party in the state, concur.

I. A commissioner may be removed only for incompetence, neglect of duty or malfeasance in office. A proceeding for the removal of a commissioner may be commenced by the commission or by the attorney general upon the request of the commission. A commissioner shall be given notice of hearing and an opportunity to be heard before the commissioner is removed. The supreme court has original jurisdiction over proceedings to remove commissioners, and its decision shall be final. A commissioner is also liable to impeachment pursuant to Article 4, Section 36 of the constitution of New Mexico.

§ 10-16G-4. Commissioners; Qualifications; Limitations

A. To qualify for appointment to the commission, a person shall:

(1) be a qualified elector of New Mexico;

(2) not have changed party registration in the five years next preceding the member's appointment in such a manner that the member's prior party registration would make the member ineligible to serve on the commission;

(3) not continue to serve as a commissioner if the member changes party registration after the date of appointment in such a manner as to make the member ineligible to serve on the commission; and

(4) not be, or within the two years prior to appointment shall not have been, in New Mexico, any of the following:

(a) a public official;

(b) a public employee;

(c) a candidate;

(d) a lobbyist;

(e) a government contractor; or

(f) an office holder in a political party at the state or federal level.

B. Before entering upon the duties of the office of commissioner, each commissioner shall review the State Ethics Commission Act and other laws and rules pertaining to the commission's responsibilities and to ethics and governmental conduct in New Mexico. Each commissioner shall take the oath of office as provided in Article 20, Section 1 of the constitution of New Mexico and, pursuant to the Financial Disclosure Act [Chapter 10, Article 16A NMSA 1978], file with the secretary of state a financial disclosure statement within thirty days of appointment and during the month of January every year thereafter that the commissioner serves on the commission.

C. For a period of one calendar year following a commissioner's tenure or following the resignation or removal of a commissioner, the commissioner shall not:

(1) represent a respondent, unless appearing on the commissioner's own behalf; or

(2) accept employment or otherwise provide services to a respondent unless the commissioner accepted employment or provided services prior to the filing of a complaint against the respondent.

D. During a commissioner's tenure, a commissioner shall not hold another public office or be:

(1) a public employee;

(2) a candidate;

(3) a lobbyist;

(4) a government contractor; or

(5) an office holder in a political party at the state or federal level.

E. A commissioner who changes political party affiliation in violation of the provisions of Subsection A of this section or who chooses to seek or hold an office in violation of Subsection D of this section shall resign from the commission or be deemed to have resigned.

§ 10-16G-5. Commission; Duties and Powers

A. The commission shall:

(1) employ an executive director, who shall be an attorney, upon approval of at least five commissioners;

(2) develop, adopt and promulgate the rules necessary for it to implement and administer the provisions of the State Ethics Commission Act; and

(3) establish qualifications for hearing officers and rules for hearing procedures and appeals.

B**.** Beginning January 1, 2020, the commission shall:

(1) receive and investigate complaints alleging ethics violations against public officials, public employees, candidates, persons subject to the Campaign Reporting Act, government contractors, lobbyists and lobbyists' employers;

(2) hold hearings in appropriate cases to determine whether there has been an ethics violation;

(3) compile, index, maintain and provide public access to all advisory opinions and reports required to be made public pursuant to the State Ethics Commission Act;

(4) draft a proposed code of ethics for public officials and public employees and submit the proposed code to each elected public official and public agency for adoption; and

(5) submit an annual report of its activities, including any recommendations regarding state ethics laws or the scope of its powers and duties, in December of each year to the legislature and the governor.

C. Beginning January 1, 2020, the commission may:

(1) by approval of at least five commissioners, initiate complaints alleging ethics violations against a public official, public employee, candidate, person subject to the Campaign Reporting Act, government contractor, lobbyist or lobbyist's employer;

(2) petition a district court to issue subpoenas under seal requiring the attendance of witnesses and the production of books, records, documents or other evidence relevant or material to an investigation;

(3) issue advisory opinions in accordance with the provisions of the State Ethics Commission Act;

(4) compile, adopt, publish and make available to all public officials, public employees, government contractors and lobbyists an ethics guide that clearly and plainly explains the ethics requirements set forth in state law, including those that relate to conducting business with the state and public agencies; and

(5) offer annual ethics training to public officials, public employees, government contractors, lobbyists and other interested persons.

§ 10-16G-6. Executive director; appointment; duties and powers

A. The commission shall appoint an executive director who shall be knowledgeable about state ethics laws and who shall be appointed without reference to party affiliation and solely on the grounds of fitness to perform the duties of the office. The director shall hold office from the date of appointment until such time as the director is removed by the commission.

B. The director shall:

(1) take the oath of office required by Article 20, Section 1 of the constitution of New Mexico;

(2) hire a general counsel who may serve for no more than five years, unless rehired for up to an additional five years;

(3) hire additional personnel as may be necessary to carry out the duties of the commission;

(4) prepare an annual budget for the commission and submit it to the commission for approval;

(5) make recommendations to the commission of proposed rules or legislative changes needed to provide better administration of the State Ethics Commission Act;

(6) perform other duties as assigned by the commission; and

(7) be required to reapply for the position after six years of service and may serve as director for no more than twelve years.

C. The director may:

(1) enter into contracts and agreements on behalf of the commission; and

(2) have the general counsel administer oaths and take depositions subject to the Rules of Civil Procedure for the District Courts.

D. For a period of one calendar year immediately following termination of the director's employment with the commission, the director shall not:

(1) represent a respondent, unless appearing on the director's own behalf; or

(2) accept employment or otherwise provide services to a respondent, unless the director accepted employment or provided services prior to the filing of a complaint against the respondent.

§ 10–16G–7. Recusal and Disqualification of a Commissioner

A. A commissioner may recuse from a particular matter.

B. A commissioner shall recuse from any matter in which the commissioner is unable to make a fair and impartial decision or in which there is a reasonable doubt about whether the commissioner can make a fair and impartial decision, including:

(1) when the commissioner has a personal bias or prejudice concerning a party to the proceeding or has prejudged a disputed evidentiary fact involved in a proceeding prior to a hearing. For the purposes of this paragraph, "personal bias or prejudice" means a predisposition toward a person based on a previous or ongoing relationship that renders the commissioner unable to exercise the commissioner's functions impartially;

(2) when the commissioner has a pecuniary interest in the outcome of the matter; or

(3) when in previous employment the commissioner served as an attorney, adviser, consultant or witness in the matter in controversy.

C. A party to the proceeding may request the recusal of a commissioner and shall provide the commission with the grounds for the request. If the commissioner declines to recuse upon request of a party to the proceeding, the commissioner shall provide a full explanation in support of the refusal to recuse.

D. A party may appeal a commissioner's refusal to recuse, or if the propriety of a commissioner's participation in a particular matter is otherwise questioned, the issue shall be decided by a majority of the other commissioners present and voting.

E. A disqualified commissioner shall not participate in any proceedings with reference to the matter from which the commissioner is disqualified or recused, and the commissioner shall be excused from that portion of any meeting at which the matter is discussed.

F. Minutes of commission meetings shall record the name of any commissioner not voting on a matter by reason of disqualification or recusal.

G. If two or more commissioners have recused themselves or are disqualified from participating in a proceeding, the remaining commissioners shall appoint temporary commissioners to participate in that proceeding. Appointments of temporary commissioners shall be made by a majority vote of the remaining commissioners in accordance with the political affiliation and geographical representation requirements and the qualifications set forth in the State Ethics Commission Act.

H. The commission shall promulgate rules for the recusal and disqualification of commissioners, for an appeal of a recusal decision and for the appointment of temporary commissioners.

§ 10–16G–8. Advisory Opinions

A. The commission may issue advisory opinions on matters related to ethics. Advisory opinions shall:

(1) be requested in writing by a public official, public employee, candidate, person subject to the Campaign Reporting Act, government contractor, lobbyist or lobbyist's employer;

(2) identify a specific set of circumstances involving an ethics issue;

(3) be issued within sixty days of receipt of the request unless the commission notifies the requester of a delay in issuance and continues to notify the requester every thirty days until the advisory opinion is issued; and

(4) be published after omitting the requester's name and identifying information.

B. A request for an advisory opinion shall be confidential and not subject to the provisions of the Inspection of Public Records Act.

C. Unless amended or revoked, an advisory opinion shall be binding on the commission in any subsequent commission proceedings concerning a person who acted in good faith and in reasonable reliance on the advisory opinion.

§ 10-16G-9. Commission Jurisdiction; Compliance Provisions

A. The commission has jurisdiction to enforce the applicable civil compliance provisions for public officials, public employees, candidates, persons subject to the Campaign Reporting Act [1-19-25 to 1-19-36 NMSA 1978], government contractors, lobbyists and lobbyists' employers of:

(1) the Campaign Reporting Act;

(2) the Financial Disclosure Act [Chapter 10, Article 16A NMSA 1978];

(3) the Gift Act [10-16B-1 to 10-16B-4 NMSA 1978];

(4) the Lobbyist Regulation Act [Chapter 2, Article 11 NMSA 1978];

(5) the Voter Action Act [1-19A-1 to 1-19A-17 NMSA 1978];

(6) the Governmental Conduct Act [Chapter 10, Article 16 NMSA 1978];

(7) the Procurement Code [13-1-28 to 13-1-199 NMSA 1978];

(8) the State Ethics Commission Act;

(9) the Revised Uniform Law on Notarial Acts [Chapter 14, Article 14A NMSA 1978]; and

(10) Article 9, Section 14 of the constitution of New Mexico.

B. All complaints filed with a public agency regarding the statutes listed in Subsection A of this section shall be forwarded to the commission.

C. The commission may choose to act on some or all aspects of a complaint and forward other aspects of a complaint to another state or federal agency with jurisdiction over the matter in accordance with Subsection E of this section.

D. If the commission decides not to act on a complaint, whether the complaint was filed with the commission or forwarded from another public agency, or decides only to act on part of a complaint, the commission shall promptly forward the complaint, or any part of a complaint on which it does not wish to act, to the public agency that has appropriate jurisdiction within ten days of the decision. The complainant and respondent shall be notified in writing when the complainant's request has been forwarded to another agency unless otherwise provided pursuant to Subsection H of Section 10-16G-10 NMSA 1978.

E. The commission may share jurisdiction with other public agencies having authority to act on a complaint or any aspect of a complaint. Such shared jurisdiction shall be formalized through an agreement entered into by all participating agencies involved with the complaint and the director. The commission may also investigate a complaint referred to the commission by the legislature, or a legislative committee, in accordance with an agreement entered into pursuant to policies of the New Mexico legislative council or rules of the house of representatives or senate.

F. The commission may file a court action to enforce the civil compliance provisions of an act listed in Subsection A of this section. The court action shall be filed in the district court in the county where the defendant resides.

§ 10-16G-10. Complaints; Investigations; Subpoenas

A. A complaint of an alleged ethics violation committed by a public official, public employee, candidate, person subject to the Campaign Reporting Act [1-19-25 to 1-19-36 NMSA 1978], government contractor, lobbyist, lobbyist's employer or a restricted donor subject to the Gift Act [Chapter 10, Article 16B NMSA] may be filed with the commission by a person who has actual knowledge of the alleged ethics violation.

B. The complainant shall set forth in detail the specific charges against the respondent and the factual allegations that support the charges and shall sign the complaint under penalty of false statement. The complainant shall submit any evidence the complainant has that supports the complaint. Evidence may include documents, records and names of witnesses. The commission shall prescribe the forms on which complaints are to be filed. The complaint form shall be signed under oath by the complainant.

C. Except as provided in Subsection H of this section, the respondent shall be notified within seven days of the filing of the complaint and offered an opportunity to file a response on the merits of the complaint.

D. The director shall determine if the complaint is subject to referral to another state agency pursuant to an agreement or outside the jurisdiction of the commission, and if so, promptly refer the complaint to the appropriate agency. If the director determines that the complaint is within the commission's jurisdiction, the director shall have the general counsel initiate an investigation.

E. The general counsel shall conduct an investigation to determine whether the complaint is frivolous or unsubstantiated. If the general counsel determines that the complaint is frivolous or unsubstantiated, the complaint shall be dismissed, and the complainant and respondent shall be notified in writing of the decision and reasons for the dismissal. The commission shall not make public a complaint that has been dismissed pursuant to this subsection or the reasons for the dismissal.

F. If the general counsel and the respondent reach a settlement on the matters of the complaint, the settlement shall be submitted to the commission for its approval, and if the matter has been resolved to the satisfaction of the commission, the complaint and terms of the settlement shall be subject to public disclosure.

G. If an independent hearing officer determines that there is probable cause, the director shall promptly notify the respondent of the finding of probable cause and of the specific allegations in the complaint that are being investigated and that a public hearing will be set. If the finding of probable cause involves a discriminatory practice or actions by the respondent against the complainant, no settlement agreement shall be reached without prior consultation with the complainant. In any case, the notification, complaint, specific allegations being investigated and any response to the complaint shall be made public thirty days following notice to the respondent. The hearing officer chosen to consider probable cause shall not participate in the adjudication of the complaint.

H. Notwithstanding the provisions of Subsections C and G of this section, the director may delay notifying a respondent and complainant and releasing to the public the complaint and related information required by Subsection G of this section if it is deemed necessary to protect the integrity of a criminal investigation. A decision whether to delay notifying a respondent shall be taken by a majority vote of the commission and shall be documented in writing with reasonable specificity.

I. As part of an investigation, the general counsel may administer oaths, interview witnesses and examine books, records, documents and other evidence reasonably related to the complaint. All testimony in an investigation shall be under oath, and the respondent may be represented by legal counsel. If the general counsel determines that a subpoena is necessary to obtain the testimony of a person or the production of books, records, documents or other evidence, the director shall request that the commission petition a district court to issue a subpoena.

J. The commission may petition the court for a subpoena for the attendance and examination of witnesses or for the production of books, records, documents or other evidence reasonably related to an investigation. If a person neglects or refuses to comply with a subpoena, the commission may apply to a district court for an order enforcing the subpoena and compelling compliance. All proceedings in the district court prior to the complaint being made public pursuant to Subsection G of this section, or upon entry of a settlement agreement, shall be sealed. A case is automatically unsealed upon notice by the commission to the court that the commission has made the complaint public. No later than July 1 of each even-numbered year, the chief justice of the supreme court shall appoint an active or pro tempore district judge to consider the issuance and enforcement of subpoenas provided for in this section. The appointment shall end on June 30 of the next even-numbered year after appointment.

K. A public official or state public employee who is a respondent who is subject to a complaint alleging a violation made in the performance of the respondent's duties shall be entitled to representation by the risk management division of the general services department.

§ 10–16G–11. Status of Investigation; Reports to Commission

A. If a hearing has not been scheduled concerning the disposition of a complaint within ninety days after the complaint is received, the director shall report to the commission on the status of the investigation. The commission may dismiss the complaint or instruct the director to continue the investigation of the complaint. Unless the commission dismisses the complaint, the director shall report to the commission every ninety days thereafter on the status of the investigation.

B. Upon dismissal of a complaint or a decision to continue an investigation of a complaint, the commission shall notify the complainant and respondent in writing of its action. If the commission has not notified a respondent pursuant to the provisions of Subsection G of Section 10 of the State Ethics Commission Act, the commission shall vote on whether to notify the respondent. A decision whether to continue to delay notifying the respondent shall be taken by a majority vote of a quorum of the commission and shall be documented in writing with reasonable specificity.

§ 10–16G–12. Investigation Report; Commission Hearings; Decisions and Reasons Given; Disclosure of an Ethics Violation

A. Upon receipt of the general counsel's recommendation, the commission or hearing officer shall:

(1) dismiss a complaint and notify the complainant and the respondent of the dismissal; or

(2) set a public hearing, as soon as practicable.

B. At any time before or during a hearing provided for in Subsection A of this section, the hearing officer may, at a public meeting, approve a disposition of a complaint agreed to by the general counsel and the respondent, as approved by the commission.

C. The hearing provided for in Subsection A of this section shall be pursuant to the rules of evidence that govern proceedings in the state's courts and procedures established by the commission. An audio recording shall be made of the hearing. The respondent may be represented by counsel. The parties may present evidence and testimony, request the director to compel the presence of witnesses and examine and cross-examine witnesses.

D. The hearing officer shall issue a written decision that shall include the reasons for the decision. If the hearing officer finds by a preponderance of the evidence that the respondent's conduct constituted a violation, the decision may include recommendations for disciplinary action against the respondent, and the hearing officer may impose any fines provided for by law. A finding of fraudulent or willful misconduct shall require clear and convincing evidence.

E. The complainant or respondent may appeal a decision of the hearing officer within thirty days of the decision to the full commission, which shall hear the matter within sixty days of notice of the appeal and issue its decision within 180 days.

F. The commission shall publicly disclose a decision, including a dismissal following a finding of probable cause or the terms of a settlement, issued pursuant to this section. The commission shall provide the decision to the complainant, the respondent and the:

(1) house of representatives if the respondent is a public official who is subject to impeachment;

(2) appropriate legislative body if the respondent is a member of the legislature;

(3) respondent's appointing authority if the respondent is an appointed public official;

(4) appropriate public agency if the respondent is a public employee;

(5) public agency with which the respondent has a government contract if the respondent is a government contractor; and

(6) secretary of state and the respondent's employer, if any, if the respondent is a lobbyist.

G. The commission shall produce a quarterly report subject to public inspection containing the following information:

(1) the number of complaints filed with and referred to the commission;

(2) the disposition of the complaints; and

(3) the type of violation alleged in the complaints.

§ 10-16G-13. Confidentiality of Records; Penalty

A. A decision that a respondent's conduct constituted a violation, and the terms of a settlement approved by the commission, are public records. Pleadings, motions, briefs and other documents or information related to the decision are public records, except for information that is confidential or protected pursuant to attorney-client privilege, provider-patient privilege or state or federal law.

B. If a complaint is determined to be frivolous, unsubstantiated or outside the jurisdiction of the commission, the complaint shall not be made public by the commission; provided that the commission shall not prohibit the complainant or respondent from releasing the commission's decision or other information concerning the complaint.

C. Except as otherwise provided in the acts listed in Section 9 of the State Ethics Commission Act, all complaints, reports, files, records and communications collected or generated by the commission, hearing officer, general counsel or director that pertain to alleged violations shall not be disclosed by the commission or any commissioner, agent or employee of the commission, unless:

(1) disclosure is necessary to pursue an investigation by the commission;

(2) disclosure is required pursuant to the provisions of the State Ethics Commission Act; or

(3) they are offered into evidence by the commission, respondent or another party at a judicial, legislative or administrative proceeding, including a hearing before a hearing officer.

D. Information and reports containing information made confidential by law shall not be disclosed by the commission or its director, staff or contractors.

E. A commissioner, director, staff or contractor who knowingly discloses any confidential complaint, report, file, record or communication in violation of the State Ethics Commission Act is guilty of a petty misdemeanor.

§ 10-16G-14. Criminal Violations; Referral

If the commission finds at any time that a respondent's conduct amounts to a criminal violation, the director shall consult with the attorney general or an appropriate district attorney, and the commission may refer the matter to the attorney general or an appropriate district attorney. The commission may provide the attorney general or district attorney with all evidence collected during the commission's investigation. Nothing in this section prevents the commission from taking any action authorized by the State Ethics Commission Act or deciding to suspend an investigation pending resolution of any criminal charges.

§ 10-16G-15. Time Limitations on Jurisdiction

A. The commission shall not accept or consider a complaint unless the complaint is filed with the commission within the later of two years from the date:

(1) on which the alleged conduct occurred; or

(2) the alleged conduct could reasonably have been discovered.

B. The commission shall not adjudicate a complaint filed against a candidate, except pursuant to the Campaign Reporting Act or Voter Action Act, less than sixty days before a primary or general election. During that time period, the commission may dismiss complaints that are frivolous or unsubstantiated or refer complaints that are outside the jurisdiction of the commission.

C. A complainant shall be notified in writing of the provisions of this section and shall also be notified in writing that the complainant may refer allegations of criminal conduct to the attorney general or the appropriate district attorney.

D. When commission action on a complaint is suspended pursuant to the provisions of this section, the respondent shall promptly be notified that a complaint has been filed and of the specific allegations in the complaint and the specific violations charged in the complaint.

§ 10–16G–16. Prohibited Actions

A. A person shall not take or threaten to take any retaliatory, disciplinary or other adverse action against another person who in good faith:

(1) files a verified complaint with the commission that alleges a violation; or

(2) provides testimony, records, documents or other information to the commission during an investigation or at a hearing.

B. A complainant and a respondent shall not communicate ex parte with any hearing officer, commissioner or other person involved in a determination of the complaint.

C. Nothing in the State Ethics Commission Act precludes civil or criminal actions for libel or slander or other civil or criminal actions against a person who files a false claim.

NMSA 1978, § 10–16I–4. (2025) Enforcement; penalties. (Nondisclosure of Sensitive Personal Information)

The attorney general, a district attorney and the state ethics commission may institute a civil action in district court if a violation has occurred or to prevent a violation of the Nondisclosure of Sensitive Personal Information Act. Penalties for a violation of that act shall be a civil penalty of two hundred fifty dollars ($250) for each violation, but not to exceed five thousand dollars ($5,000).

NMSA 1978, § 14-14A-22 (2022) (Revised Uniform Law on Notarial Acts)

A. The state ethics commission may deny, refuse to renew, revoke, suspend or impose a condition on a commission as notary public for any act or omission that demonstrates that the individual lacks the honesty, integrity, competence or reliability to act as a notary public, including:

(1) failure to comply with the Revised Uniform Law on Notarial Acts;

(2) a fraudulent, dishonest or deceitful misstatement or omission in the application for a commission as a notary public submitted to the state ethics commission;

(3) a conviction of the applicant or notary public of any felony or a crime involving fraud, dishonesty or deceit during the term of the notary public's commission or during the five years immediately preceding such term;

(4) a finding against, or admission of liability by, the applicant or notary public in any legal proceeding or disciplinary action based on the applicant's or notary public's fraud, dishonesty or deceit;

(5) failure by the notary public to discharge any duty required of a notary public, whether by the provisions of the Revised Uniform Law on Notarial Acts, rules of the secretary of state or any federal or state law;

(6) use of false or misleading advertising or representation by the notary public representing that the notary has a duty, right or privilege that the notary does not have;

(7) violation by the notary public of a rule of the secretary of state regarding a notary public;

(8) denial, refusal to renew, revocation, suspension or conditioning of a notary public commission in another state;

(9) failure of the notary public to maintain an assurance as provided in Subsection D of Section 20 [14-14A-20 NMSA 1978] of the Revised Uniform Law on Notarial Acts; or

(10) if the individual ceases to be a resident of this state or ceases to be employed in this state.

§ 14-14A-24. Prohibited acts.

. . .

I. An individual who performs a purported notarial act with knowledge that the individual's commission as a notary public has expired or that the individual is otherwise disqualified from the office of notary public or as a notarial officer is guilty of a misdemeanor and upon conviction shall be punished by a fine of five hundred dollars ($500) and shall be removed from office by the state ethics commission.

STATE ETHICS COMMISSION

Commission Meeting Minutes of August 21, 2026, 9:00 AM
[Subject to Ratification by Commission]

Call to Order

Chair Castillo called the meeting to order at 9:00 AM.

1. **Roll Call**

Chair Castillo called roll; the following Commissioners were present:

Hon. William F. Castillo, Chair (attended virtually)
Jeffrey L. Baker (attended virtually)
Stuart M. Bluestone (attended virtually)
Hon. Gary Clingman (attended virtually)
Hon. Dr. Terry McMillan (attended virtually)
Dr. Judy Villanueva (attended virtually)

2. **Approval of Agenda**

Chair Castillo sought a motion to approve the agenda. Commissioner Baker moved to approve the agenda; Commissioner Castillo seconded. Hearing no discussion or objections, the agenda was approved unanimously by all present Commissioners.

Commissioner Bluestone requested the addition of a New or Old Business section and discussion of the next meeting. Chair Castillo suggested adding an Administrative section at the end of the agenda to address both items. The present Commissioners agreed by unanimous consent.

3. **Approval of June 15, 2026, Commission Meeting Minutes**

Chair Castillo sought a motion for approval of the minutes of the June 15, 2026, meeting. Commissioner Baker moved to approve the minutes; Commissioner Castillo seconded.

Commissioner Bluestone requested an amendment to the April meeting minutes to reflect comments he made for future consideration regarding the Commission's voting requirements. Commissioner Bluestone suggested that, as part of a future legislative recommendations process, the Commission consider recommending amendments to require at least five affirmative votes for Commission action, including at least two votes from each of the two major political parties represented on the Commission.

With the amendment and hearing no further discussion or objections, the June 15, 2026, meeting minutes were approved unanimously by all present Commissioners.

4. **FY28 Budget Request**
   (Farris, George)

5. **History of the SEC**
   (Eberhardt)

6. **Proxy Voting – Open Meetings Act Analysis**
   (*Su*)

7. **Advisory Opinion 2026-12 – Application of Section 10-16-8 of the GCA to a Former State Agency Attorney's Post-State Employment as a Contractor Representing Different Clients**
   (Su)

Commission Staff Grace Su presented Advisory Opinion 2026-12, w*hich addressed whether a county commissioner running for reelection may use campaign funds to create informational materials regarding a public issue that was a priority during their previous campaign. The opinion concluded that campaign funds may be used to discuss and raise awareness of a public issue when the materials are reasonably attributable to the candidate's reelection campaign, even if the candidate is running unopposed.*

Chair Castillo sought a motion to approve Advisory Opinion 2026-12. Commissioner Baker moved to approve the opinion for issuance; Commissioner Bluestone seconded. Chair Castillo conducted a roll-call vote. All present Commissioners voted in favor. Advisory Opinion 2026-12 was approved for issuance.

8. **Public Comment**

<u>Commission Meeting Items</u>

---Begin Executive Session---

Chair Castillo sought a motion to enter executive session. Commissioner Baker moved to enter executive session under NMSA 1978, § 10-15-1(H)(3) (administrative adjudicatory proceedings) and NMSA 1978, § 10-15-1(H)(7) (attorney-client privilege pertaining to litigation). Commissioner Villanueva seconded the motion. Hearing no discussion, Chair Castillo conducted a roll call vote, all present Commissioners voted unanimously to enter executive session.

9. <u>Discussion regarding administrative matters under RULONA:</u>
   (Branch)

I. 2024-NP-06
II. 2024-NP-09

10. Discussion regarding administrative matters under State Ethics Commission Act:
(Goodrich)

I. Administrative Complaint No. 2026-21

11. Discussion regarding current and potential litigation:
(*Farris, Woods*)

I. Authorization for a demand and civil action to enforce the Lobbyist Regulation Act

II. Babylon Bee, LLC v. Foy Castillo, et al.

---End Executive Session---

Matters discussed in closed meeting were limited to those specified in motion to enter executive session. After concluding discussion of these matters, the Commission resumed public session upon an appropriate motion pursuant to NMSA 1978, § 10-15-1(J).

12. **Action on administrative matters under RULONA**
(Branch)

I. Commission staff sought a motion for dismissal in 2024-NP-06. Chair Castillo sought a motion for the dismissal. Commissioner Villanueva moved to approve the dismissal; Commissioner Castillo seconded. Hearing no discussion, Chair Castillo conducted a roll-call vote. All present Commissioners voted in favor. The dismissal was approved.

II. Commission staff sought a motion for dismissal in 2024-NP-09. Chair Castillo sought a motion for the dismissal. Commissioner Villanueva moved to approve the dismissal; Commissioner Castillo seconded. Hearing no discussion, Chair Castillo conducted a roll-call vote. All present Commissioners voted in favor. The dismissal was approved.

13. **Action on administrative matters under State Ethics Commission Act**
(Goodrich)

I. Commission staff sought a motion for the authorization to extend the investigation in 2026-21 for an additional 90 days. Commissioner Baker moved to approve the authorization; Commissioner McMillan seconded.

Hearing no discussion, Chair Castillo conducted a roll-call vote. All present Commissioners voted in favor. The authorization was approved.

14. **Action on Authorization of Civil Action**
(Woods, Farris)

I. Commission staff sought a motion for the authorization for the demand and civil action to enforce the Lobbyist Regulation Act against x. Chair Castillo sought a motion for the authorization. Commissioner Bluestone moved to approve the authorization; Commissioner Castillo seconded. Hearing no discussion, Chair Castillo conducted a roll-call vote. All present Commissioners voted in favor. The authorization was approved.

II. Babylon Bee v. Foy Castillo, et al.

15. **Resolutions**
(*Farris*)

I. Resolution No. 2026-12: Artificial intelligence disclaimer requirements for political parody and satire

16. **Discussion of next meeting**
(*Castillo*)

17. **Public Comment**

There was no public comment.

18. **Adjournment**

Chair Castillo raised the adjournment of the meeting. With no objections made, the meeting adjourned at 12:35 PM.