

IMPORTANT NOTICE FOR CANDIDATES SEEKING OFFICE FOR PUBLIC REGULATION COMMISSION

This notice serves as a reminder that pursuant to the **Public Regulation Commission Act**, the most specific and recently enacted law that governs the Public Regulation Commission and its campaign fundraising activities, specifically Section 8-8-19, at Subsection C thereof states in relevant part (emphasis added):

Prohibited acts; candidates; commissioners and employees.

C. A candidate for election to the public regulation commission *shall not solicit or accept:*

- (1) anything of value, either directly or indirectly, from a person whose charges for services to the public are regulated by the commission. For the purposes of this paragraph “anything of value” includes money, in-kind contributions and volunteer services to the candidate or his campaign organization, but does not include pension or disability benefits; or
- (2) more than five hundred (\$500) per election from any other person.

The **Campaign Reporting Act**, at Section 1-19-34.2, **Regulated industry solicitations prohibited**, states as follows:

It is unlawful for an elected state official, public officer or employee who works for a regulatory office or a candidate who seeks election to a regulatory office or anyone authorized by a candidate to solicit funds on his behalf to knowingly solicit a contribution from an entity or its officers or employees or a person that is directly regulated by the office. For purposes of this section, an entity or person is directly regulated by an office when the entity’s or person’s charges for services offered to the public are set or directly subject to approval by the regulatory office or when a license to do business in the state is determined by the regulatory office.

Under the Campaign Reporting Act, the Secretary of State investigates possible violations of the Act, and may refer suspected violations to the Attorney General or a District Attorney for civil or criminal enforcement. *See* § 1-19-34.4(B), (G); *see also* § 1-19-34.6 (civil penalties), § 1-19-36 (criminal penalties).

If you are a candidate receiving public financing, please also refer to the provisions in the Voter Action Act, Sections 1-19A-1 – 1-19A -17.

The 2010 Campaign Reporting Schedule is available at www.sos.state.nm.us