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PRESS RELEASE

State Ethics Commission Announces Settlement with The New Mexico Project and Jeff Apodaca

Albuquerque, NM, September 23, 2024 – The New Mexico State Ethics Commission has reached a settlement with TNMP Inc. (“The New Mexico Project”) and Jeff Apodaca, the terms of which were read into the record in a court hearing before the Honorable Joshua A. Allison, Second Judicial District Court. The settlement, which enforces The New Mexico Project’s compliance with New Mexico’s Campaign Reporting Act, ensures that TNMP Inc. will fulfill its legal obligations to disclose information relating to its donors and expenditures, providing New Mexicans with necessary information regarding who is attempting to influence their votes.

The settlement includes, but is not limited to, the following terms:

1. By the end of today, Monday, September 23, 2024, TNMP Inc. shall register as a political committee with the Secretary of State.
2. By the end of Wednesday, October 2, 2024, TNMP Inc. shall file with the Secretary of State all required reports of its expenditures and contributions.
3. By the end of Wednesday, October 2, 2024, TNMP Inc. shall provide the State Ethics Commission a check made payable to the State of New Mexico for \$1,000, corresponding to a civil penalty for a violation of the Campaign Reporting Act.

4. By the end of Wednesday, October 2, 2024, TNMP Inc. shall provide the State Ethics Commission a check made payable to the State of New Mexico for \$3,000, corresponding to a payment in compromise of the attorney fee award to the Commission by the Honorable William Johnson, U.S. District Judge for the District of New Mexico, related to Defendants unreasonable removal to federal courts and subsequent remand to state court. Defendants will also dismiss their appeal of Judge Johnson’s attorney-fee award to the Commission.
5. Defendants will stipulate to an order dismissing all counter and third-party claims against the Commission, the individual Commissioners, and Executive Director, Jeremy Farris with prejudice.
6. The parties will stipulate to an order dismissing all remaining motions as moot.
7. Upon TNMP Inc.’s full compliance with the terms of the settlement—including the payment of civil penalties and attorney fees—the Commission will dismiss all claims against TNMP Inc. with prejudice. Also, upon TNMP Inc.’s compliance, the Commission will submit stipulated orders to the Court to quash the Court’s August 28, 2024 preliminary injunction order for The New Mexico Project to register as a political committee and file reports of its expenditures and contributions, and to vacate the order to show cause why The New Mexico Project should not be held in civil contempt for failing to do so.

“The State Ethics Commission remains committed to ensuring that New Mexico’s campaign finance laws are followed,” said Jeremy Farris, Executive Director of the State Ethics Commission. “The Commission’s commitment to disclosure and to the rule of law is independent of and irrespective of the content and viewpoint of political speech. This settlement with The New Mexico Project and Mr. Apodaca reinforces the importance of transparency in New Mexico’s political process. The Commission will continue to work to protect the public’s right to know who is funding efforts to influence New Mexico’s elections.”

Before its litigation with The New Mexico Project, the Commission has enforced the Campaign Reporting Act against organizations with viewpoints across the political spectrum, bringing appropriate lawsuits and achieving compliance with New Mexico’s registration, disclosure, and disclaimer laws related to political advertising.

About the State Ethics Commission

The State Ethics Commission is an independent, bipartisan constitutional state agency with the authority to enforce civil violations of New Mexico's governmental ethics and disclosure statutes, including the Campaign Reporting Act. The Commission is comprised of three Democratic Commissioners, three Republican Commissioners, and one independent Commissioner who is registered as "decline to state."

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For more information about the State Ethics Commission, visit www.sec.nm.gov.