

BILL ANALYSIS

Senate Research Center
89R4518 MZM-D

S.B. 1349
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State Affairs
3/14/2025
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1349 addresses a growing concern regarding transnational repression—a form of political persecution carried out by foreign governments against individuals who are residing outside their home countries. S.B. 1349 aims to create new criminal offenses specifically targeting these activities and to establish a study and law enforcement training program regarding transnational repression.

Specifically, this bill creates new criminal offenses for individuals who engage in actions designed to retaliate against, surveil, or coerce individuals in Texas on behalf of foreign governments or terrorist organizations.

Purpose:

1. Protecting U.S. citizens from foreign coercion: This bill aims to safeguard the rights of Texans and U.S. citizens by preventing foreign governments, such as intimidating or coercing individuals living in Texas. S.B. 1349 provides legal tools to protect U.S. citizens from such overreach.
2. Strengthening law enforcement training: S.B. 1349 requires the development of a comprehensive training program for Texas peace officers. This training will equip law enforcement to identify, report, and respond to instances of transnational repression, allowing them to more effectively protect communities targeted by foreign governments.
3. Promoting accountability and justice: By criminalizing the acts of foreign agents engaged in transnational repression, S.B. 1349 ensures that those who violate U.S. laws and interfere with the rights of individuals in Texas will face justice. This bill also provides for reporting and accountability by requiring a study and regular updates on emerging threats.

S.B. 1349 seeks to protect the freedoms of Texans from foreign interference by criminalizing transnational repression and unauthorized enforcement of foreign law. This bill empowers law enforcement, ensures accountability, and upholds the fundamental rights of American citizens, making clear that Texas will not tolerate foreign government overreach on its soil.

As proposed, S.B. 1349 amends current law relating to creating the criminal offenses of transnational repression and unauthorized enforcement of foreign law and to a study and law enforcement training regarding transnational repression.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 76, Penal Code, by adding Sections 76.045 and 76.046, as follows:

Sec. 76.045. TRANSFORMATIONAL REPRESSION. (a) Defines "agent of a foreign government or foreign terrorist organization," "foreign terrorist organization," and "protected conduct."

(b) Provides that a person commits an offense if:

(1) the person commits or conspires to commit an offense under Section 22.01 (Assault), 22.02 (Aggravated Assault), 42.07 (Harassment), or 42.072 (Stalking);

(2) the person commits or conspires to commit an offense described by Subdivision (1) with the intent to cause certain outcomes; and

(3) the person commits or conspires to commit that offense as an agent of a foreign government or foreign terrorist organization.

(c) Provides that an offense under this section is one category higher than the most serious offense listed in Subsection (b)(1) that was committed or conspired to be committed, except that:

(1) if the most serious offense is a Class A misdemeanor, the offense under this section is a Class A misdemeanor with a minimum term of confinement of 180 days; and

(2) if the most serious offense is a felony of the first degree, the offense under this section is a felony of the first degree with a minimum term of confinement of 15 years.

Sec. 76.046. UNAUTHORIZED ENFORCEMENT OF FOREIGN LAW. (a) Defines "agent of a foreign government or foreign terrorist organization."

(b) Provides that a person commits an offense if, as an agent of a foreign government or foreign terrorist organization, the person, without the approval of this state or the United States prevents another person in this state from violating the laws of a foreign government or detects, investigates, monitors, or surveilles another person in this state for the purpose of preventing the other person from violating the laws of a foreign government.

(c) Provides that an offense under this section is a felony of the second degree.

SECTION 2. Amends Subchapter A, Chapter 411, Government Code, by adding Section 411.02098, as follows:

Sec. 411.02098. TRANSNATIONAL REPRESSION TRAINING PROGRAM. (a) Defines "agent of a foreign government or foreign terrorist organization," "agent," "foreign terrorist organization," "peace officer," and "transnational repression."

(b) Requires the criminal investigations division of the Department of Public Safety of the State of Texas (criminal investigations division; DPS) to develop a training program for peace officers regarding transnational repression. Requires that the training program prepare peace officers to perform certain tasks and include information about foreign governments and foreign terrorist organizations that are frequently involved in transnational repression and the methods those governments and organizations use.

(c) Requires the criminal investigations division to regularly update the training under Subsection (b) to address emerging threats and new transnational repression methods used by agents of a foreign government or foreign terrorist organization.

SECTION 3. (a) Requires the criminal investigations division, in collaboration with the Office of the Governor, to conduct a study on the threat of transnational repression, as that conduct is described by Section 76.045(b), Penal Code, as added by this Act. Requires DPS to, not later than March 1, 2026, prepare and submit to each member of the legislature a report on the

conclusions of the study and any recommendations for legislative or other action to reduce the threat of transnational repression.

(b) Provides that this section expires April 1, 2026.

SECTION 4. Requires the criminal investigations division, not later than April 1, 2026, to develop the training required by Section 411.02098, Government Code, as added by this Act.

SECTION 5. Effective date: September 1, 2025.