

By: Hughes, et al.

S.B. No. 1349

A BILL TO BE ENTITLED

AN ACT

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.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 76, Penal Code, is amended by adding Sections 76.045 and 76.046 to read as follows:

Sec. 76.045. TRANSNATIONAL REPRESSION. (a) In this section:

(1) "Agent of a foreign government or foreign terrorist organization" means a person acting on behalf of or otherwise employed or controlled by a foreign government or foreign terrorist organization.

(2) "Foreign terrorist organization" has the meaning assigned by Section 71.01.

(3) "Protected conduct" means any speech or expressive conduct protected by the First Amendment to the United States Constitution or by Section 8, Article I, Texas Constitution.

(b) A person commits an offense if:

(1) the person commits or conspires to commit an offense under:

(A) Section 20A.02;

(B) Section 22.01;

1                   (C) Section 22.02;

2                   (D) Section 42.07;

3                   (E) Section 42.072; or

4                   (F) Section 43.05;

5           (2) the person commits or conspires to commit an  
6 offense described by Subdivision (1) with the intent to:

7                   (A) cause another person to act on behalf of a  
8 foreign government or a foreign terrorist organization;

9                   (B) cause another person to leave or be confined  
10 in the United States;

11                   (C) discourage another person from engaging in  
12 protected conduct; or

13                   (D) retaliate against another person for  
14 engaging in protected conduct; and

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

18           (c) An offense under this section is one category higher  
19 than the most serious offense listed in Subsection (b)(1) that was  
20 committed or conspired to be committed, except that if the most  
21 serious offense is a felony of the first degree, the offense under  
22 this section is a felony of the first degree with a minimum term of  
23 confinement of 15 years.

24           Sec. 76.046. UNAUTHORIZED ENFORCEMENT OF FOREIGN LAW. (a)  
25 In this section, "agent of a foreign government or foreign  
26 terrorist organization" has the meaning assigned by Section 76.045.

27           (b) 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:

(1) prevents another person in this state from violating the laws of a foreign government; or

(2) 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) An offense under this section is a felony of the second degree.

SECTION 2. Subchapter A, Chapter 411, Government Code, is amended by adding Section 411.02098 to read as follows:

Sec. 411.02098. TRANSNATIONAL REPRESSION TRAINING PROGRAM.

(a) In this section:

(1) "Agent of a foreign government or foreign terrorist organization" and "agent" mean a person acting on behalf of or otherwise employed or controlled by a foreign government or foreign terrorist organization.

(2) "Foreign terrorist organization" has the meaning assigned by Section 71.01, Penal Code.

(3) "Peace officer" means an individual described by Article 2A.001, Code of Criminal Procedure.

(4) "Transnational repression" means conduct described by Section 76.045(b), Penal Code.

(b) The department shall develop a training program for peace officers regarding transnational repression. The training program must:

(1) prepare peace officers to:

1                   (A) identify transnational repression;

2                   (B) develop practices for preventing, reporting,  
3 and responding to transnational repression; and

4                   (C) recognize communities targeted by  
5 transnational repression and misinformation that may be  
6 perpetuated by an agent of a foreign government or foreign  
7 terrorist organization; and

8                   (2) include information about foreign governments and  
9 foreign terrorist organizations that are frequently involved in  
10 transnational repression and the methods those governments and  
11 organizations use.

12                  (c) The department shall regularly update the training  
13 under Subsection (b) to address emerging threats and new  
14 transnational repression methods used by agents of a foreign  
15 government or foreign terrorist organization.

16                  SECTION 3. (a) The Department of Public Safety of the State  
17 of Texas, in collaboration with the office of the governor, shall  
18 conduct a study on the threat of transnational repression, as that  
19 conduct is described by Section 76.045(b), Penal Code, as added by  
20 this Act. Not later than March 1, 2026, the Department of Public  
21 Safety shall prepare and submit to each member of the legislature a  
22 report on the conclusions of the study and any recommendations for  
23 legislative or other action to reduce the threat of transnational  
24 repression.

25                  (b) This section expires April 1, 2026.

26                  SECTION 4. Not later than April 1, 2026, the Department of  
27 Public Safety shall develop the training required by Section

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1 411.02098, Government Code, as added by this Act.

2 SECTION 5. This Act takes effect September 1, 2025.