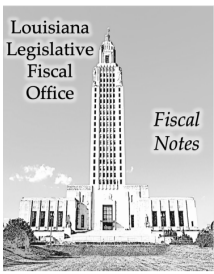


LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 635** HLS 26RS 903
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 9, 2026 1:32 PM **Author:** HORTON
Dept./Agy.: Attorney General, Corrections, and Sheriffs
Subject: Criminal Activity by an Agent of a Foreign Adversary **Analyst:** Daniel Druilhet

CRIME EG SEE FISC NOTE GF EX Page 1 of 2

Provides relative to criminal activity committed by an agent of a foreign adversary or an agent of a foreign terrorist organization

Proposed law prohibits an agent of a foreign adversary or foreign terrorist organization from committing any non-capital felony offense while knowingly acting at the direction of, on behalf of, or under the influence of a foreign adversary or terrorist organization with the intent to coerce a person to act on their behalf, leave the U.S., cause another person to leave the U.S., or refrain from (or retaliate against a person for) engaging in constitutionally protected conduct; provides for convictions of non-capital felonies and sentences as follows - for an underlying offense punishable by no more than five years imprisonment, imprisonment for an additional year, with or without hard labor, served consecutively to the sentence for the underlying offense; for an underlying offense punishable by no less than five but no more than 15 years imprisonment, imprisonment for an additional two years, with or without hard labor, served consecutively to the sentence imposed for the underlying offense; provides that no person shall intentionally engage in obstruction, detection, investigation, monitoring, or surveillance, of another person or governmental entity with the intent to enforce or institute the prosecution of a foreign law in violation of Louisiana or federal law; assesses no more than \$10,000 fine or imprisonment for no less than three nor more than six years, with or without hard labor, or both, for those acting as a foreign agent, terrorist, or adversary at the time of violation; and for those not acting as an agent of a foreign adversary or terrorist organization, no less than two nor more than four years imprisonment, with or without hard labor, or a fine of no more than \$5,000, or both; provides that the AG may provide or adopt a training program for transnational repression recognition and response.

EXPENDITURES	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	

Annual Total

REVENUES	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	

Annual Total

EXPENDITURE EXPLANATION

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections-Corrections Services (DPS&C-CS) and an indeterminable impact to workload in the Office of the Attorney General - Louisiana Bureau of Investigation.

Department of Public Safety and Corrections - Correction Services

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections (DPS&C-CS) to the extent that offenders (as agents of a foreign adversary or foreign terrorist organization) are convicted of intentionally engaging in obstruction, detection, monitoring, or surveillance of another person or governmental entity with the intent to enforce or institute the prosecution of a foreign law in violation of Louisiana or federal law. Proposed law may also result in an indeterminable increase in SGF expenditures in DPS&C-CS, to the extent that offenders are convicted of committing any non-capital felony offense while knowingly acting at the direction of, on behalf of, or under the influence of a foreign adversary or terrorist organization with the intent to coerce a person to act on their behalf, leave the U.S., cause another person to leave the U.S., or refrain from (or retaliate against a person for) engaging in constitutionally protected conduct. The proposed law is a relative felony, and any impact on either state or local expenditures is contingent on whether offenders sustain a misdemeanor or felony-grade conviction for its violation. The exact fiscal impact is indeterminable, as it is unknown how many people will be convicted or the length of the sentences assessed with those convictions as a result of its potential enactment. The maximum imprisonment term for intentionally engaging (as an agent of a foreign adversary or foreign terrorist organization) in obstruction, detection, monitoring, or surveillance of another person or governmental entity with the intent to enforce or institute the prosecution of a foreign law in violation of Louisiana or federal law is no more than six years. The maximum imprisonment term for committing any non-capital felony offense while knowingly acting at the direction of, on behalf of, or under the influence of a foreign adversary or terrorist organization with the intent to coerce a person to act on their behalf, leave the U.S., cause another person to leave the U.S., or refrain from (or retaliate against a person for) engaging in constitutionally protected conduct is an additional two years of imprisonment served consecutive to the sentence imposed for the underlying offense.

To the extent that offenders sustain a felony-grade conviction for violation of the proposed law, DPS&C-CS will sustain an indeterminable increase in expenditures. For those convicted, sentenced, and then subsequently housed in a state facility, DPS&C-CS will sustain expenditures of \$107.60 per offender per day. For those housed in local facilities, DPS&C-CS will sustain expenditures of \$29.39 per offender per day. DPS&C-CS advises that impacts on offender populations are anticipated to impact the number of offenders held in local facilities, and that in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities. [CONTINUED ON PAGE TWO]

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of intentionally engaging in obstruction, detection, monitoring, or surveillance of another person or governmental entity with the intent to enforce or institute the prosecution of a foreign law in violation of Louisiana or federal law or committing any non-capital felony offense while knowingly acting at the direction of, on behalf of, or under the influence of a foreign adversary or terrorist organization. The exact fiscal impact on revenue is indeterminable, as the fines that would be imposed are optional and variable in nature. The potential revenue will accrue to the local governing authorities.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Patrice Thomas
 Deputy Fiscal Officer



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CONTINUED EXPLANATION from page one:

[CONTINUED FROM PAGE ONE]

To the extent that offenders sustain a misdemeanor conviction for violation of the proposed law, local governing authorities will sustain Local Funds expenditures. The exact fiscal impact of the passage of this legislation to local governing authorities is indeterminable, since it is not known how many people will be convicted and incarcerated in local facilities, nor the length of the sentences assessed with those convictions as a result of its potential enactment.

Attorney General

Proposed law may result in an indeterminable increase in workload in the Office of the Attorney General (AG), to the extent that it establishes a reporting mechanism and investigates claims, sends notices, and follows up on compliance with entities and covered platforms impacted, along with other requirements that are imposed. The proposed law is permissive and allows the AG to conduct investigations and initiate civil actions on behalf of the state to assess civil penalties. The exact impact to workload is indeterminable, because it is unknown the number of instances in which the AG will pursue civil actions against covered platforms in violation of the proposed law.

Senate Dual Referral Rules


13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}


Patrice Thomas
Deputy Fiscal Officer