

2026 Regular Session

HOUSE BILL NO. 635

BY REPRESENTATIVES HORTON AND EDMONSTON AND SENATOR HODGES

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

1 AN ACT

2 To enact Part IV-A of Chapter 2 of Title 14 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 14:391 through 391.3, and R.S. 40:2405.10, relative to offenses
4 affecting organized government; to provide for legislative intent; to provide for
5 definitions; to provide for types of conduct that constitute criminal activity; to
6 provide for penalties; to authorize certain training programs; to provide for an
7 effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Part IV-A of Chapter 2 of Title 14 of the Louisiana Revised Statutes of
10 1950, comprised of R.S. 14:391 through 391.3, is hereby enacted to read as follows:

11 PART IV-A. PROTECTION OF CONSTITUTIONAL LIBERTIES

12 IN LOUISIANA ACT

13 §391. Legislative intent; short title

14 A. The legislature hereby finds that certain foreign adversaries and foreign
15 terrorist organizations pose a growing threat to the citizens and residents of this state
16 based on the practice of extranational enforcement of foreign laws, foreign
17 directives, or foreign religious tenets that are contrary to the Constitution of the
18 United States and the Constitution of Louisiana and are invoked as a substitute for
19 federal or state law. The purpose of this Part is to counter this threat by protecting

1 persons in this state from the harassment and repression of liberty and freedom
2 caused by these extranational practices.

3 B. This Part shall be known and may be cited as the "Protection of
4 Constitutional Liberties in Louisiana Act".

5 §391.1. Definitions

6 For the purposes of this Part, the following terms have the following
7 meanings:

8 (1) "Agent of a foreign adversary" means a person, entity, or organization
9 directed or controlled by a foreign adversary or who is the proxy of a foreign
10 adversary.

11 (2) "Agent of a foreign terrorist organization" means a person, entity, or
12 group directed or controlled by a foreign terrorist organization or who is the proxy
13 of a foreign terrorist organization.

14 (3) "Constitutionally protected conduct" means any action or behavior that
15 is lawful under the laws of this state or the United States and constitutes the free
16 exercise of any of the following:

17 (a) Freedom of religion, as protected by the First Amendment of the
18 Constitution of the United States of America and Article I, Section 8, of the
19 Constitution of Louisiana.

20 (b) Freedom of speech or expression, as protected by the First Amendment
21 of the Constitution of the United States and Article I, Section 7, of the Constitution
22 of Louisiana.

23 (c) The right of assembly or to petition any federal, state, or local
24 government entity for the redress of grievances as protected by the First Amendment
25 of the Constitution of the United States and Article I, Section 9, of the Constitution
26 of Louisiana.

27 (4) "Foreign adversary" means any country specified in 15 CFR 791.4 or any
28 similar regulation that is subsequently promulgated in the Code of Federal
29 Regulations.

1 (5) "Foreign law" means any law, rule, or legal code or system established
2 and used or applied by a foreign adversary or foreign terrorist organization in a
3 jurisdiction outside of the states or territories of the United States.

4 (6) "Foreign terrorist organization" means any of the following:

5 (a) An entity designated as a foreign terrorist organization in accordance
6 with 8 U.S.C. 1189 or any similar law that is subsequently promulgated by the
7 United States Department of State.

8 (b) An entity designated as a "specially designated national" in accordance
9 with 31 CFR 500.306 or any similar regulation that is subsequently promulgated in
10 the Code of Federal Regulations by the United States Department of the Treasury.

11 (7) "Transnational repression" means an act emanating from or attributable
12 to a foreign adversary or foreign terrorist organization that is committed by an agent
13 of that foreign adversary or foreign terrorist organization with the intent to harass,
14 intimidate, censor, or otherwise extend the ability of the foreign adversary or foreign
15 terrorist organization to influence, control, or impose its preferences on the behavior
16 of people outside of the territorial jurisdiction of the foreign adversary through either
17 of the following means:

18 (a) Directly by means of physical contact, threats, or electronic targeting.

19 (b) Indirectly by means of actual or credible threats of collective punishment,
20 financial coercion, abuse of administrative processes, selective prosecution of laws
21 of general application, the use or direction of social media or telecommunication
22 entities, or harassment of others.

23 §391.2. Violation; penalties

24 A.(1) No agent of a foreign adversary or agent of a foreign terrorist
25 organization shall commit any criminal offense in this state while knowingly acting
26 at the direction of, on behalf of, or under the influence of a foreign adversary or
27 foreign terrorist organization with the intent to do any of the following:

28 (a) Coerce a person to act on behalf of a foreign adversary or foreign terrorist
29 organization.

1 (b) Coerce a person to leave the United States or cause another person to
2 leave the United States.

3 (c) Cause a person to refrain from engaging in constitutionally protected
4 conduct.

5 (d) Retaliate against a person for engaging in constitutionally protected
6 conduct.

7 (2) No person shall intentionally engage in the obstruction, detection,
8 investigation, monitoring, or surveillance of another person or governmental entity
9 with the intent to enforce or institute the prosecution of a foreign law in violation of
10 the laws of this state or of the United States.

11 B.(1) Any person who violates the provisions of Paragraph (A)(1) of this
12 Section by committing a criminal offense that is a noncapital felony shall, in addition
13 to the penalty for commission of the underlying offense, be punished as follows:

14 (a) If the underlying offense is punishable by imprisonment for a term of not
15 more than five years, the offender shall be imprisoned with or without hard labor for
16 an additional period of one year. The additional penalty imposed pursuant to this
17 Subparagraph shall be served consecutively to the sentence imposed for the
18 underlying offense.

19 (b) If the underlying offense is punishable by imprisonment for a term of
20 more than five years but less than fifteen years, the offender shall be imprisoned with
21 or without hard labor for an additional period of two years. The additional penalty
22 imposed pursuant to this Subparagraph shall be served consecutively to the sentence
23 imposed for the underlying offense.

24 (2) Whoever violates the provisions of Paragraph (A)(2) of this Section shall
25 be punished as follows:

26 (a) If the offender was acting as an agent of a foreign adversary or an agent
27 of a foreign terrorist organization at the time of the violation, the offender shall be
28 fined not more than ten thousand dollars, imprisoned with or without hard labor for
29 not less than three years nor more than six years, or both.

1 (b) If the offender was not acting as an agent of a foreign adversary or an
2 agent of a foreign terrorist organization at the time of the violation, the offender shall
3 be fined not more than five thousand dollars, imprisoned with or without hard labor
4 for not less than two years nor more than four years, or both.

5 §391.3. Application of foreign law; unenforceability

6 Any decision from a court, arbitrator, tribunal, or administrative agency that
7 is based in whole or in part on foreign law is void and unenforceable in this state if
8 it denies a party a liberty, right, or privilege guaranteed by the Constitution of the
9 United States or the Constitution of Louisiana.

10 Section 2. R.S. 40:2405.10 is hereby enacted to read as follows:

11 §2405.10. Transnational repression recognition and response; training and education

12 The Department of Justice, office of the attorney general, Louisiana Bureau
13 of Investigation, may provide or adopt a training program for transnational
14 repression recognition and response. The program may be obtained from another
15 state or federal governmental entity or from a nongovernmental entity that
16 specializes in training and educating law enforcement. The training may be updated
17 to address emerging threats and specific information on tactics used by specific
18 foreign adversaries or foreign terrorist organizations.

19 Section 3. The Department of Justice, office of attorney general, Louisiana Bureau
20 of Investigation may implement the training program authorized in R.S. 40:2405.10 as
21 enacted by Section 1 of this Act on or before July 1, 2027.

22 Section 4. This Act shall become effective upon signature by the governor or, if not
23 signed by the governor, upon expiration of the time for bills to become law without signature
24 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
25 vetoed by the governor and subsequently approved by the legislature, this Act shall become
26 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 635 Original

2026 Regular Session

Horton

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

Proposed law provides for a statement of legislative intent.

Proposed law defines the terms "agent of a foreign adversary", "agent of a foreign terrorist organization", "constitutionally protected conduct", "foreign adversary", "foreign law", "foreign terrorist organization", and "transnational repression".

Proposed law prohibits an agent of a foreign adversary or agent of a foreign terrorist organization from committing any criminal offense that is a noncapital felony in the state of La. while knowingly acting at the direction of, on behalf of, or under the influence of a foreign adversary or foreign terrorist organization with the intent to do any of the following:

- (1) Coerce a person to act on behalf of a foreign adversary or foreign terrorist organization.
- (2) Coerce a person to leave the U.S. or cause another person to leave the U.S.
- (3) Cause a person to refrain from engaging in constitutionally protected conduct.
- (4) Retaliate against a person for engaging in constitutionally protected conduct.

Proposed law provides for penalties as follows:

- (1) If the underlying offense is punishable by imprisonment for a term of not more than five years, imprisonment with or without hard labor for an additional period of one year to be served consecutively to the sentence imposed for the underlying offense.
- (2) If the underlying offense is punishable by imprisonment for a term of more than five years but less than 15 years, imprisonment with or without hard labor for an additional period of two years to be served consecutively to the sentence imposed for the underlying offense.

Proposed law prohibits any person from intentionally engaging in the 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 the laws of the state of La. or of the U.S.

Proposed law provides for penalties as follows:

- (1) A maximum fine of \$10,000, imprisonment with or without hard labor for not less than three years nor more than six years, or both if the offender was acting as an agent of a foreign adversary or an agent of a foreign terrorist organization at the time of the violation.
- (2) A maximum fine of \$5,000, imprisonment with or without hard labor for not less than two years nor more than four years, or both if the offender was not acting as an

agent of a foreign adversary or an agent of a foreign terrorist organization at the time of the violation.

Proposed law provides that any decision from a court, arbitrator, tribunal, or administrative agency that is based in whole or in part on foreign law is void and unenforceable in this state if it denies a party a liberty, right, or privilege guaranteed by the Constitution of the U.S. or the Constitution of La.

Proposed law permits the La. Bureau of Investigation, on or before July 1, 2027, to provide or adopt a training program for transnational repression recognition and response. Further provides for methods of obtaining training and permits any updates for training to address emerging threats and specific information on tactics used by specific foreign adversaries or foreign terrorist organizations.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 14:391-391.3 and R.S. 40:2405.10)