SESSION OF 2026

SUPPLEMENTAL NOTE ON SENATE BILL NO. 454

As Amended by Senate Committee on Judiciary

Brief*

SB 454, as amended, would provide enhanced penalties for offenses committed related to transnational repression (TNR) and require the development of TNR recognition and response training.

Definition of TNR

For the purposes of the bill, "transnational repression" would mean actions and behaviors that are committed by an agent of a foreign principal:

- Within or outside the jurisdiction of a foreign adversary. For the purposes of the bill, "foreign adversaries" would include:
    - People's Republic of China, including the Hong Kong Special Administrative Region;
    - Republic of Cuba;
    - Islamic Republic of Iran;
    - Democratic People's Republic of Korea;
    - Russian Federation;
    - Bolivarian Republic of Venezuela; and
    - Any organization that is designated as a foreign terrorist organization as of July 1, 2026, pursuant to the Immigration and Nationality Act, except where otherwise

---

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at https://klrd.gov/

provided by rules and regulations adopted by the Fusion Center Oversight Board (FCOB);

- From or attributable to such foreign principal. For the purposes of the bill, “foreign principal” would mean:
    - The government or any official of the government of a foreign adversary;
    - A political party or member of a political party or any subdivision of a political party of a foreign adversary;
    - A partnership, association, corporation, organization, or other combination of persons owned or controlled by, organized under the laws of, or having its principal place of business in, a foreign adversary;
- With the intention of harassment, intimidation, censorship; or
- Otherwise extending the ability of the foreign principal to influence, control, or impose such foreign principal’s preferences on the behavior of individuals outside the jurisdiction of the foreign adversary associated with the foreign principal either directly or through physical contact, threats, or electronic targeting, or through indirect means, such as:
    - The actual or credible threat of collective punishment or harassment of individuals under the foreign adversary’s effective control;
    - Financial coercion;
    - Abuse of administrative processes;
    - Selective prosecution of laws of general application; or
    - The use or direction of social media and telecommunications entities.

Crime With Intent to Commit TNR

The bill would provide that a person commits a crime with intent to commit TNR if such crime is:

- Undertaken by an agent of a foreign principal or foreign terrorist organization who acts knowingly at the direction of, on behalf of, or under the influence of such principal or organization or any agent thereof with the intent to:
    - Coerce another person to act on behalf of a foreign principal or foreign terrorist organization;
    - Coerce or cause another person to leave the United States;
    - Cause another person to forebear from engaging in conduct that is otherwise protected by the First Amendment to the *U.S. Constitution*; or
    - Retaliate against another person for engaging in conduct that is otherwise protected by the First Amendment; and
- Not protected by the First Amendment to the *U.S. Constitution*.

Increased Severity Level for TNR Crimes

The bill would add a special sentencing rule related to TNR to the Kansas Sentencing Guidelines grid for nondrug crimes. The special rule would increase the severity level for any offense committed with the intent to commit TNR. Such increase would be:

- One severity level above the appropriate level for offenses classified in severity level 2 through 10; and

- Imprisonment for life with no opportunity for probation, suspension, modification, or reduction if the offense is classified in severity level 1 and such offender would not be eligible for parole until serving 25 years with no reduction for good time credit. The 25 year minimum would not apply if, because of the offender's criminal history score, such offender is subject to presumptive imprisonment and the sentencing range exceeds 300 months. In such case, the offender would be required to serve a mandatory minimum term equal to the sentence established by the sentencing range.

Kansas Bureau of Investigation Training Requirements

The bill would require the Director of the Kansas Bureau of Investigation (KBI) to develop and adopt training in TNR recognition and response on or before July 1, 2027. The bill would require the training to be updated regularly to address emerging threats and specific information on tactics used by specific foreign adversaries. Such training would include:

- How to identify different tactics of TNR in physical and nonphysical forms;

- Identification of foreign principals that are known to employ TNR, including not only those who use TNR most frequently, but also those who use TNR most egregiously, including, but not limited to, tools of digital surveillance and other cybertools frequently used to carry out TNR activities;

- Best practices for appropriate local and state law enforcement prevention, reporting, and response tactics; and

- Information about communities targeted by TNR.

KBI Public Awareness Requirements

The Director of the KBI would also be required to develop public awareness information to inform members of the public about how to identify and report instances of TNR. Such public awareness information would include:

- A website, advertised widely to the public, for the purpose of reporting TNR with a link to such website prominently displayed on the KBI homepage;
- Reporting mechanisms available in multiple languages, including the languages of commonly persecuted communities; and
- Annual reporting on the number of complaints received and outcomes, including any instances of foreign interference in the reporting process.

University of Kansas and Kansas State University Campus Disciplinary Policy Requirements

The bill would require the University of Kansas and Kansas State University to include information on TNR in campus disciplinary policies and provide for direct complaints of TNR to be made to a university liaison.

Background

The bill was introduced by Senator Bowser.

Senate Committee on Judiciary

In the Senate Committee hearing, Senator Bowser and a representative of State Armor Action provided **proponent** testimony. Proponents generally stated the bill would protect the state against the serious and growing threat of TNR, deter

future hostile acts, and strengthen national security and American sovereignty.

No other testimony was provided.

The Senate Committee amended the bill to:

- Clarify that increased severity levels are for any offense committed, attempted, or conspired with the intent to commit TNR;
- Align the bill's definition of "foreign adversary" with federal statute and rules and regulations adopted by the FCOB; and
- Remove the name of the act.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Sentencing Commission indicates that enactment of the bill would negligibly increase prison admissions, and the Department of Corrections indicates enactment of the bill would have a negligible fiscal effect that could be absorbed within existing resources.

The Office of Judicial Administration indicates enactment of the bill could increase the number of cases filed in district courts and a decrease in supervision fee revenues, but a precise fiscal effect could not be estimated.

The KBI, Kansas State University, the University of Kansas, and the University of Kansas Medical Center indicate any fiscal impact from enactment of the bill would be absorbed within existing resources.

The Office of the Attorney General and the Adjutant General's Department indicate the bill would have no fiscal

effect. Any fiscal effect associated with the bill is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of Counties indicates the bill could increase expenditures for counties but the Association could not estimate a fiscal effect. The League of Kansas Municipalities indicates the bill would increase expenditures for cities but could not estimate a precise fiscal effect.

Crimes; punishment; criminal procedure; transnational repression