

Fiscal Note

BILL # HB 2374

TITLE: transnational repression; foreign adversaries

SPONSOR: Nguyen

STATUS: As Amended by House JUD

PREPARED BY: Jordan Johnston

Description

The bill would enhance penalties for persons convicted of certain crimes if the person is a foreign government agent or a foreign terrorist organization agent. The bill also establishes a class 2 felony for any person acting as a foreign agent that intentionally engages in law enforcement activities. The bill further requires the Department of Public Safety (DPS) to establish a Transnational Repression Recognition and Response Training program to offer law enforcement specialized training on recognizing foreign agents.

Estimated Impact

We estimate the bill could increase the Arizona Department of Corrections' (ADC) operating costs if individuals convicted under the enhanced or new sentencing requirements spend more time in prison than currently required by law. However, any cost to the department will ultimately depend on whether a foreign agent convicted of these crimes would be charged in a federal court and housed in a federal prison or charged in a state court and housed in an Arizona correctional facility.

We further estimate the bill will generate additional costs to DPS to establish the new training program, however we are unable to determine the magnitude in advance without input from the agency. We have reached out to DPS for their estimated impact of the bill and are awaiting a response. In lieu of agency feedback, we think the program cost could reach \$1 million.

Analysis

Due to insufficient data, we are unable to estimate the number of foreign agents that currently are charged with crimes in the state of Arizona. As such, we are unable to determine the fiscal impact of enhancing penalties and establishing a new penalty for these crimes.

The bill also requires DPS to establish a Transnational Repression Recognition and Response Training program and contract with an organization that has experience in developing and implementing such training to create the curriculum. The department is then required to oversee the selection and certification of participants and update the program annually as necessary to address new emerging threats/tactics used by foreign governments.

Local Government Impact

None

2/18/25

