

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5520

FISCAL
NOTE

By Delegates Ridenour, Martin, B. Ward, Hillenbrand,

Butler, Masters, Kimble, Jennings, Phillips, and

McGeehan

[Introduced February 13, 2026; referred to the

Committee on the Judiciary]

1 A BILL to amend and reenact §6B-3-2 the Code of West Virginia, 1931, as amended, and to
 2 amend the code by adding a new article, designated §6D-2-1, to amend the code by
 3 adding a new article, designated §15-17-1, §15-17-2, §15-17-3, §15-17-4, §15-17-5, §15-
 4 17-6, §15-17-7, §15-17-8, §15-17-9, §15-17-10, §15-17-11, §15-17-12, §15-17-13, §15-
 5 17-14, §15-17-15 §15-17-16, §15-17-17, §15-17-18, §15-17-19, and §15-17-20, relating
 6 to creating the Foreign Adversary Contracting Prohibition Act, the Foreign Adversary and
 7 Terrorist Agent Registration Act and the Transnational Repression Act; providing titles and
 8 purposes; providing definitions; clarifying registration; providing exceptions; creating
 9 record retention; establishing the duties of the Attorney General; creating penalties;
 10 authorizing a portal and website; authorizing rules; defining crimes; requiring reporting;
 11 establishing training; clarifying how to register as a lobbyist;

Be it enacted by the Legislature of West Virginia:

**CHAPTER 6B. PUBLIC OFFICERS AND EMPLOYEES; ETHICS;
 CONFLICTS OF INTEREST; FINANCIAL DISCLOSURE.**

ARTICLE 3. LOBBYISTS.

§6B-3-2. Registration of lobbyists.

1 (a) Before engaging in any lobbying activity, or within thirty days after being employed as a
 2 lobbyist, whichever occurs first, a lobbyist shall register with the Ethics Commission by filing a
 3 lobbyist registration statement. The registration statement shall contain information and be in a
 4 form prescribed by the Ethics Commission by legislative rule, including, but not limited to, the
 5 following information:

6 ~~(1) The registrant's name, business address, telephone numbers and any temporary~~
 7 ~~residential and business addresses and telephone numbers used or to be used by the registrant~~
 8 ~~while lobbying during a legislative session;~~

9 ~~(2) The name, address and occupation or business of the registrant's employer;~~

10 ~~(3) A statement as to whether the registrant is employed or retained by his or her employer~~
11 ~~solely as a lobbyist or is a regular employee performing services for the employer which include,~~
12 ~~but are not limited to, lobbying;~~

13 ~~(4) A statement as to whether the registrant is employed or retained by his or her employer~~
14 ~~under any agreement, arrangement or understanding according to which the registrant's~~
15 ~~compensation, or any portion of the registrant's compensation, is or will be contingent upon the~~
16 ~~success of his or her lobbying activity;~~

17 ~~(5) The general subject or subjects, if known, on which the registrant will lobby or employ~~
18 ~~some other person to lobby in a manner which requires registration under this article; and~~

19 ~~(6) An appended written authorization from each of the lobbyist's employers confirming the~~
20 ~~lobbyist's employment and the subjects on which the employer is to be represented.~~

21 (1) The name, permanent residence address, and office address of the lobbyist;

22 (2) The name and address of the principal of such lobbyist;

23 (3) The nature of the business of such principal and the amounts or sums given or to be
24 given to the lobbyist as compensation or reimbursement for lobbying. A lobbyist who is salaried or
25 retained by a principal need only report that portion of compensation or reimbursement reasonably
26 attributable to lobbying;

27 (4) A description of the business activity of the lobbyist;

28 (5) An identification of the matters on which the principal or lobbyist expects to lobby;

29 (6) If the principal is a PRC-affiliated military company, an affirmative acknowledgment by
30 the lobbyist that such lobbyist is lobbying on behalf of, and thereby acting as an agent of, a foreign
31 adversary of the United States;

32 (7) If the principal is an industry, trade, or professional association, a specific description of
33 the industry, trade, or profession represented by the principal and the names and addresses of its
34 officers;

35 (8) If the principal is not an industry, trade, or professional association, a specific

36 description of the interests and groups represented by the principal and the names and addresses
37 of its officers; and

38 (9) The name and address of any official in the legislative, executive or judicial branches,
39 and of any members of any such official's staff or immediate family, who are employed by the
40 lobbyist or any person acting on behalf of such lobbyist if such information is known or reasonably
41 should have been known to the lobbyist.

42 (b) If any such lobbying activity is on behalf of a PRC-affiliated military company, disclose
43 that such PRC-affiliated military company is a foreign adversary of the United States. For
44 purposes of this subdivision (b), lobbying activity includes, but is not limited to, lobbying by means
45 of telephone, electronic mail, United States mail or other mail delivery service, in-person meetings,
46 or testimony at legislative hearings.

47 (c) Every person employed, retained, or authorized as a consultant for a PRC-affiliated
48 military company shall, before commencing any influencing activity in this state for such PRC-
49 affiliated military company file with the Commission, on a form prescribed by the Commission,
50 information that shall include as a minimum, the following:

51 (1) The name, permanent residence address, and office address of the consultant;

52 (2) The name and address of the PRC-affiliated military company represented by such
53 consultant;

54 (3) A description of the business activity of the consultant;

55 (4) An identification of the matters on which the consultant expects to conduct influencing
56 activity on behalf of such PRC-affiliated military company;

57 (5) An affirmative acknowledgment by the consultant that such consultant is influencing on
58 behalf of, and thereby acting as an agent of, a foreign adversary of the United States;

59 (6) The name and address of any official in the legislative, executive or judicial branches,
60 and of any members of any such official's staff or immediate family, who are employed by the
61 consultant or any person acting on behalf of such consultant if such information is known or

62 reasonably should have been known to the consultant; and

63 (7) Disclose that such PRC-affiliated military company is a foreign adversary of the United
64 States.

65 For purposes of this subsection, influencing activity includes, but is not limited to,
66 influencing by means of telephone, electronic mail, United States mail or other mail delivery
67 service, or in-person meetings.

68 (d) Any person who violates subdivision (a)(6) or subsection (b) or (c) of this section shall
69 be fined \$100,000 and confined in a state correctional facility for not less than one year nor more
70 than three years for each violation. All penalties collected under this section shall be remitted to
71 the State Treasurer for distribution in accordance with the relevant section of West Virginia
72 Constitution.

73 For purposes of this section, "PRC-affiliated military company" means any company
74 operating in China's defense or surveillance sectors, or any entity directly/indirectly owned by,
75 controlled by, or acting as an agent for the People's Liberation Army (PLA), Chinese
76 military/paramilitary, or related government bodies, including contributors to China's Military-Civil
77 Fusion (MCF) strategy, blurring commercial and military tech development, and includes any
78 subsidiary of a PRC-affiliated military company or any company owned or controlled, in whole or in
79 part, by a PRC-affiliated military company.

80 ~~(b)~~ (e) Any lobbyist who receives or is to receive compensation from more than one person
81 for services as a lobbyist shall file a separate notice of representation with respect to each person
82 compensating him or her for services performed as a lobbyist. When a lobbyist whose fee for
83 lobbying with respect to the same subject is to be paid or contributed by more than one person,
84 then the lobbyist may file a single statement, in which he or she shall detail the name, business
85 address and occupation of each person paying or contributing to the fee.

86 ~~(e)~~ (f) Whenever a change, modification or termination of the lobbyist's employment
87 occurs, the lobbyist shall, within one week of the change, modification or termination, furnish full

88 information regarding the change, modification or termination by filing with the commission an
89 amended registration statement.

90 ~~(d)~~ (g) Each lobbyist who has registered shall file a new registration statement, revised as
91 appropriate, on the Monday preceding the second Wednesday in January of each odd-numbered
92 year and failure to do so terminates his or her authorization to lobby. Until the registration is
93 renewed, the person may not engage in lobbying activities unless he or she is otherwise exempt
94 under paragraph (B), subdivision (7), section one of this article.

95 ~~(e)~~ (h) The following public officers or employees may not, during or up to one year after the
96 termination of their public employment or service, be allowed to register as lobbyists:

97 (1) Members of the Legislature;

98 (2) Members of the Executive Department as referenced in article VII, section one of the
99 Constitution of West Virginia;

100 (3) Will and pleasure professional employees of the Legislature under the direct
101 supervision of a member of the Legislature;

102 (4) Will and pleasure professional employees of members of the Executive Department
103 under the direct supervision of the Executive Department officer and who regularly, personally and
104 substantially participates in a decision-making or advisory capacity regarding agency or
105 department policy;

106 (5) Members of the Supreme Court of Appeals;

107 (6) Any department secretary of an executive branch department created by the provisions
108 of section two, article one, chapter five-f of this code; and

109 (7) Heads of any state departments or agencies.

110 (i) (1) The West Virginia Ethics Commission, upon finding that there has been a violation of
111 §6B-3-1 et seq. of this code, or any rule or regulation promulgated thereunder, may issue an order
112 requiring the violator to do one or more of the following:

113 (A) Cease and desist from the violation;

114 (B) File any report, statement, or other information as required;

115 (C) Pay a civil penalty of not more than \$5 thousand for each violation of the act, rule, or
116 regulation; or

117 (D) Pay the costs of the hearing in a contested case if the violator did not appear at the
118 hearing personally or by counsel.

119 (2) Upon finding that there has been a violation of the relevant statute, the Commission
120 shall issue an order paying any person who provided the Commission information that resulted in
121 the finding of such violation a sum of fifty thousand dollars. Such payment shall be contingent upon
122 the Commission recovering any civil penalty sought under the statute.

123 (j)(1) The statement of financial interests filed pursuant to the relevant section of the
124 relevant statute shall be on a form prescribed by the Commission.

125 (2) Individuals required to file shall file the following information for themselves:

126 (A) The name and address of and the nature of association with any business with which
127 the individual was associated;

128 (B) The name and address of any entity in which a position of trustee was held;

129 (C) The name, address, and nature of business of a person or government body from
130 whom any income in the value of one thousand dollars or more was received and the nature of the
131 services rendered, except that the identification of patrons, customers, patients, or clients of such
132 person from which employment income was received is not required;

133 (D) A description, but not the value, of the following, if the fair market value thereof
134 exceeded \$1 thousand:

135 (i) The nature and location of all real property in the state, except any such real property
136 used as a residence of the individual;

137 (ii) The depository of checking and savings accounts;

138 (iii) The issuer of stocks, bonds, and government securities; and

139 (iv) A description of all other property owned or held for the production of income, except

140 property owned or used by a business with which the individual was associated;

141 (k) The name and address of each creditor to whom the value of \$1,000 or more was owed
142 or guaranteed by the individual or a member of the individual's immediate family, except for the
143 following:

144 (1) Accounts payable;

145 (2) Debts arising out of retail installment transactions;

146 (3) Loans made by financial institutions in the ordinary course of business;

147 (4) Loans from a relative; and

148 (5) Land contracts that have been properly recorded with the county clerk or the register of
149 deeds;

150 (l) The name, address, and occupation or nature of business of any person from whom a
151 gift in the value of more than one hundred dollars was received, a description of the gift and the
152 circumstances of the gift, and the monetary value category of the gift, based on a good faith
153 estimate by the individual, reported in the following categories:

154 (1) \$100.01 – \$200;

155 (2) \$200.01 – \$500;

156 (3) \$500.01 – \$1,000; and

157 (4) \$1,000.01 or more; and

158 (m) An attestation that the individual is not an agent of a foreign principal from an adversary
159 nation or a foreign terrorist organization, as such terms are defined in the Foreign Adversary and
160 Terrorist Agent Registration Act. Such attestation shall be made by checking a box on the form
161 attesting to such fact; and

162 (n) Such other information as the individual or the Commission deems necessary, after
163 notice and hearing, to carry out the purposes of West Virginia Code Chapter 6B.

CHAPTER 6D. PUBLIC CONTRACTS.

ARTICLE 2. FOREIGN ADVERSARY CONTRACTING PROHIBITION ACT.**§6D-2-1. Foreign adversary contracting.**

1 (a) For purposes of this article:

2 (1) "Company" means any sole proprietorship, organization, association, corporation,
3 partnership, joint venture, limited partnership, limited liability partnership, limited liability company,
4 or other entity or business association that exists for the purpose of making a profit, including all
5 wholly owned subsidiaries, majority owned subsidiaries, parent companies, or affiliates of any
6 such entity or business association;

7 (2) "Foreign adversary" means those countries identified pursuant to the processes in §37-
8 3A-2 of this code;

9 (3) "Owned in whole or in part" means:

10 (A) For a publicly traded company, any share of ownership that entails the ability to direct
11 or influence the operations of the company, the ability to appoint or discharge any board members,
12 officers, or directors, or any other rights beyond those available to a retail investor holding an
13 equivalent share of ownership; and

14 (B) For a privately held company, any share of ownership;

15 (4) Public entity means the state or any department, agency, commission, or other body of
16 state government, including publicly funded institutions of higher education, any political
17 subdivision of the state, and any other public or private agency, person, partnership, corporation,
18 or business entity acting on behalf of any such public entity;

19 (5) Scrutinized company means:

20 (A) Any company organized under the laws of a foreign adversary or having its principal
21 place of business within a foreign adversary, and any subsidiary of any such company;

22 (B) Any company owned in whole or in part or operated by the government of a foreign
23 adversary, an entity controlled by the government of a foreign adversary, or any subsidiary or
24 parent of any such company;

25 (C) Any company that sells to a public entity a final technology related product or service
26 that originates with a company described in subdivision (5)(a) or (b) of this section without
27 incorporating that product or service into another final product or service; and

28 (6) "Technology-related product or service" means a product or service used for
29 information systems, surveillance, light detection and ranging, or communications article;

30 (7) "Foreign adversarial company" means a company that:

31 (A) Is organized under the laws of a foreign adversary;

32 (B) Is owned in whole or in part, operated, or controlled by the government of a foreign
33 adversary; or

34 (C) Is a subsidiary or parent of any company otherwise described in this section;

35 (8) "Government of a foreign adversary" means any person or group of persons exercising
36 sovereign de facto or de jure political jurisdiction over any foreign adversary country, or over any
37 part of such country, and includes any subdivision of any such group and any group or agency to
38 which such sovereign de facto or de jure authority or functions are directly or indirectly delegated.
39 Such term shall include any faction or body of insurgents within a country assuming to exercise
40 governmental authority whether such faction or body of insurgents has or has not been recognized
41 by the United States. A foreign adversarial company shall be ineligible to receive any benefits
42 under an incentive program of this state.

43 A foreign adversarial company shall be ineligible to receive any benefits under an
44 incentive program of this state.

45 (b) A public entity shall require a company that submits a bid or proposal or enters into any
46 contract or contract renewal with any public entity for any technology-related product or service to
47 certify:

48 (1) That the company is not a scrutinized company;

49 (2) That the company will not subcontract with any scrutinized company for any aspect of
50 performance of the contemplated contract; and

51 (3) That any products or services to be provided do not originate with a scrutinized
52 company.

53 (c) (1) No public entity shall enter into any contract or contract renewal that would result in
54 any state or local government funds being transferred:

55 (A) To a scrutinized company in connection with any technology-related product or service;

56 or

57 (B) To any company in connection with any technology-related product or service that
58 originates with a scrutinized company.

59 (2) Notwithstanding subdivision (1) of this section, a public entity may enter into a contract
60 for goods manufactured by a scrutinized company if:

61 (1) There is no other reasonable option for procuring such good;

62 (2) The contract is preapproved by the Department of Administration; and

63 (3) Not procuring such good would pose a greater threat to the state than the threat
64 associated with the good itself; or

65 (4) The purchasing entity is an electric supplier that is not out of compliance with the
66 Critical Infrastructure Protection requirements issued by the North American Electric Reliability
67 Corporation.

CHAPTER 15. PUBLIC SAFETY.

ARTICLE 17. FOREIGN ADVERSARY AND TERRORIST AGENT REGISTRATION

AND TRANSNATIONAL REPRESSION ACT.

§15-17-1. Title.

1 (a) Sections 1 to 13 of this act shall be known and may be cited as the "Foreign Adversary
2 and Terrorist Agent Registration Act".

3 (b) Sections 14 to 20 of this act shall be known and may be cited as the "Transnational
4 Repression Act".

§15-17-2. Purpose.

1 The purpose of the Foreign Adversary and Terrorist Agent Registration Act is to provide
2 public transparency for the political and propaganda activities and influence operations of agents
3 of adversary nations and foreign terror organizations.

§15-17-3. Definitions.

1 For purposes of the Foreign Adversary and Terrorist Agent Registration Act:

2 (1) "Adversary nation" means those countries identified pursuant to the processes in §37-
3 3A-2 of this code;

4 (2) "Agent of a foreign principal" means:

5 (A) Any person who directly, or through any other person, within this state, engages in
6 covered activities and who acts:

7 (i) As an agent, representative, employee, or servant, of a foreign principal; or

8 (ii) In any other capacity at the order or request or under the direction or control of a foreign
9 principal or of a person acting for a foreign principal, any of whose activities are directly or
10 indirectly supervised, directed, controlled, financed, or subsidized in whole or in part by a foreign
11 principal; or

12 (iii) Any person who agrees, consents, assumes, or purports to act as, or who is or purports
13 to be, whether or not pursuant to a contractual relationship, an agent of a foreign principal as
14 defined in this section.

15 (B) Agent of a foreign principal does not include any media entity, solely by virtue of any
16 bona fide news or journalistic activities, including the solicitation or acceptance of advertisements,
17 subscriptions, or other compensation therefor, so long as:

18 (i) The media entity is at least eighty percent beneficially owned by citizens of the United
19 States; and

20 (ii) At least 50 percent of the officers and directors of the media entity are citizens of the
21 United States; and

22 (iii) The media entity is not owned, directed, supervised, controlled, subsidized, or
23 financed, and none of its policies are determined by any foreign principal or by any agent of a
24 foreign principal required to register under the Foreign Adversary and Terrorist Agent Registration
25 Act;

26 (3) "Covered activities" means:

27 (A) Engaging in political activities for, or in the interests of, a foreign principal;

28 (B) Acting as a public relations counsel, publicity agent, information-service employee or
29 political consultant for, or in the interests of, a foreign principal;

30 (C) Soliciting, collecting, disbursing, or dispensing contributions, loans, money, or other
31 things of value for, or in the interests of, a foreign principal; or

32 (D) Representing the interests of such foreign principal before any agency or official of this
33 state or a political subdivision of this state;

34 (4) "False statement of material" fact includes any of the following with respect to a
35 registration statement, a supplement to such statement, or any document filed with or furnished to
36 the Attorney General under the Foreign Adversary and Terrorist Agent Registration Act:

37 (A) A false statement of material fact;

38 (B) An omission of a material fact required to be reported; and

39 (C) An omission of a material fact or copy of a material document necessary to make the
40 statements made in such statement, supplement, or document that is misleading;

41 (5) "Foreign political party" means any organization or any other combination of individuals
42 in a country other than the United States, or any unit or branch thereof, having for an aim or
43 purpose, or which is engaged in any activity devoted in whole or in part to, the establishment,
44 administration, control, or acquisition of administration or control, of a government of a foreign
45 country or a subdivision thereof, or the furtherance or influencing of the political or public interests,
46 policies, or relations of a government of a foreign country or a subdivision thereof;

47 (6) "Foreign principal" means:

48 (A) A government of a foreign country, any agency, subdivision or instrumentality of such
49 government, or a foreign political party, or any member or subdivision of such party;

50 (B) A person outside of the United States, unless it is established that such person is an
51 individual and a citizen or permanent resident of and domiciled within the United States, or that
52 such person is not an individual and is organized under or created by the laws of the United States
53 or of any state or other place subject to the jurisdiction of the United States and has its principal
54 place of business within the United States;

55 (C) A partnership, association, corporation, organization, or other combination of persons
56 organized under the laws of, or having its principal place of business in, a foreign country;

57 (D) A partnership, association, corporation, organization, or other combination of persons
58 that is at least 20 percent beneficially owned by a partnership, association, corporation,
59 organization, or other combination of persons organized under the laws of, or having its principal
60 place of business in, a foreign country;

61 (E) Any person that owns or operates in whole or in part an entity described in subdivision
62 (6)(d) of this section;

63 (F) Any entity that is owned or operated in whole or in part by a person or entity described
64 in subdivision (6)(a), (b), (c), or (e) of this section; or

65 (G) A foreign terrorist organization or any member or subdivision of such organization;

66 (7) "Foreign terrorist organization" means an organization included on the list of
67 Designated Foreign Terrorist Organizations (FTOs) as identified by the United States Secretary of
68 State Bureau of Counterterrorism pursuant to Section 219 of the Immigration and Nationality Act 8
69 U.S.C. 1189, as such section existed on April 1, 2026;

70 (8) "Government of a foreign country" means any person or group of persons exercising
71 sovereign de facto or de jure political jurisdiction over any country, other than the United States, or
72 over any part of such country, and includes any subdivision of any such group and any group or
73 agency to which such sovereign de facto or de jure authority or functions are directly or indirectly

74 delegated. Such term shall include any faction or body of insurgents within a country assuming to
75 exercise governmental authority whether such faction or body of insurgents has or has not been
76 recognized by the United States;

77 (9) "Information service employee" means any person who is engaged in furnishing,
78 disseminating, or publishing accounts, descriptions, information, or data with respect to the
79 political, industrial, employment, economic, social, cultural, or other benefits, advantages, facts, or
80 conditions of any country other than the United States, any government of a foreign country, any
81 foreign political party, or a partnership, association, corporation, organization, or other
82 combination of individuals organized under the laws of, or having its principal place of business in,
83 a foreign country; _____

84 (10) "Media entity" means any:

85 (A) News or press service or association organized under the laws of the United States,
86 any state, or any other place subject to the jurisdiction of the United States;

87 (B) Newspaper, magazine, periodical, or other publication; or

88 (C) Website or application that enables users to create and share content or to participate
89 in social networking;

90 (11) "Owned or operated in whole or in part" means that a person has the power, directly or
91 indirectly, whether or not exercised, to determine, direct, or decide important matters affecting an
92 entity, including through:

93 (A) The ownership of at least twenty percent of the total outstanding voting interest in an
94 entity;

95 (B) Board representation;

96 (C) The ability to appoint or discharge any board members, officers, or directors;

97 (D) Proxy voting, a special share, contractual arrangements, legal obligations, or formal or
98 informal arrangements to act in concert; or

99 (E) Any other means;

100 (12) "Person" means an individual, a partnership, an association, a corporation, an
101 organization, or any other entity or combination of individuals;

102 (13) "Political activities" means any activity that the person engaging in believes will, or that
103 the person intends to, in any way influence any agency or official of this state or a political
104 subdivision of this state with reference to formulating, adopting, or changing the domestic or
105 foreign policies of the United States or of this state, or the general population, or a subdivision of
106 the population, of the United States or this state, with reference to the political or public interests,
107 policies, or relations of a government of a foreign country or a foreign political party;

108 (14) "Political consultant" means any person who engages in informing or advising any
109 other person with reference to the policies of the United States or this state or the political or public
110 interest, policies, or relations of a foreign country or of a foreign political party;

111 (15) "Political propaganda" means information, especially of a biased or misleading nature,
112 used to promote the political cause or point of view of an adversary nation, a foreign terrorist
113 organization, or a political party associated with an adversary nation or a foreign terrorist
114 organization;

115 (16) "Postsecondary educational institution" means any school offering education after
116 high school, providing specialized knowledge, skills, and credentials like certificates, diplomas, or
117 degrees to prepare for careers or further study;

118 (17) "Printed material" means newspapers, periodicals, books, pamphlets, sheet music,
119 visiting cards, address cards, printing proofs, engravings, photographs, pictures, drawings, plans,
120 maps, patterns to be cut out, catalogs, prospectuses, and advertisements; printed, engraved,
121 lithographed, or autographed notices of various kinds; and, in general, all impressions or
122 reproductions obtained on paper or other material assimilable to paper, on parchment or on
123 cardboard, by means of printing, engraving, lithography, autography, or any other easily
124 recognizable mechanical process, with the exception of the copying press, stamps with movable
125 or immovable type, and the typewriter;

126 (18) "Public relations counsel" means any person who engages directly or indirectly in
127 informing, advising, or in any way representing a principal in any public relations matter pertaining
128 to political or public interests, policies, or relations of such principal;

129 (19) "Publicity agent" means any person who engages directly or indirectly in the
130 publication or dissemination of oral, visual, graphic, written, or pictorial information or matter of any
131 kind, including publication by means of advertising, books, periodicals, newspapers, lectures,
132 broadcasts, motion pictures, or otherwise;

133 (20) "Registration statement" means the registration statement required to be filed with the
134 Attorney General under section 4 of this act, and any supplements to such statement required to
135 be filed under such section, and includes all documents and papers required to be filed with, or in
136 amendment to, such statement or supplements, whether attached or incorporated by reference;
137 and _____ expenditures.

§15-17-4. Registration.

1 (a) No person shall act as an agent of a foreign principal from an adversary nation or a
2 foreign terrorist organization unless such person has filed with the Attorney General a true and
3 complete registration statement and supplements to such statement as required by this section or
4 unless such person is exempt from registration under the Foreign Adversary and Terrorist Agent
5 Registration Act. Except as otherwise provided under the act, every person who becomes an
6 agent of a foreign principal from an adversary nation or a foreign terrorist organization shall, within
7 ten days thereafter, file with the Attorney General, in duplicate, a registration statement, under
8 oath on a form prescribed by the Attorney General. The obligation of such an agent to file a
9 registration statement shall, after the tenth day of such person becoming such an agent, continue
10 from day to day, and termination of such status shall not relieve such agent from the obligation to
11 file a registration statement for the period during which such agent was an agent of a foreign
12 principal from an adversary nation or a foreign terrorist organization. The registration statement
13 shall include the following, which shall be regarded as material for the purposes of this subsection:

14 (1) The registrant's name, principal business address, and all other business addresses in
15 the United States or elsewhere, and all residence addresses, if any;

16 (2) The status of the registrant, including:

17 (A) If an individual, such individual's citizenship;

18 (B) If a partnership, the name, residence addresses, and citizenship of each partner and a
19 true and complete copy of its partnership agreement;

20 (C) If an association, corporation, organization, or any other combination of individuals, the
21 name, residence addresses, and citizenship of each director and officer and of each person
22 performing the functions of a director or officer and a true and complete copy of its charter, articles
23 of incorporation, association, constitution, operating agreement, certificate of organization, articles
24 of organization, and bylaws and any amendments thereto; and

25 (D) A copy of every other instrument or document and a statement of the terms and
26 conditions of every oral agreement relating to the registrant's organization, powers, and purposes,
27 and a statement of ownership and control;

28 (3) (A) A comprehensive statement of the nature of the registrant's business;

29 (B) A complete list of the registrant's employees and a statement of the nature of the work
30 of each;

31 (C) The name and address of every foreign principal from an adversary nation or a foreign
32 terrorist organization for whom the registrant is acting, assuming or purporting to act, or has
33 agreed to act;

34 (D) The character of the business or other activities of every such foreign principal from an
35 adversary nation or a foreign terrorist organization, and, if any such principal is not an individual, a
36 statement of the ownership and control of each; and

37 (E) The extent, if any, to which each such foreign principal from an adversary nation or a
38 foreign terrorist organization is supervised, directed, owned, controlled, financed, or subsidized, in
39 whole or in part, by any government of a foreign country or foreign political party, or by any other

40 foreign principal from an adversary nation or a foreign terrorist organization;

41 (4)(A) Copies of each written agreement and the terms and conditions of each oral
42 agreement, including all modifications of such agreements, or, if no agreement exists, a full
43 statement of all the circumstances, by reason of which the registrant is an agent of a foreign
44 principal from an adversary nation or a foreign terrorist organization; and

45 (B) A comprehensive statement of the nature and method of performance of each such
46 agreement, and of the existing and proposed activity or activities engaged in or to be engaged in
47 by the registrant as agent of a foreign principal from an adversary nation or a foreign terrorist
48 organization for each such principal, including a detailed statement of any such activity that is a
49 political activity;

50 (5) The nature and amount of any contributions, income, money, or thing of value that the
51 registrant has received within the preceding six months from each such foreign principal from an
52 adversary nation or a foreign terrorist organization, either as compensation or for disbursement or
53 otherwise, and the form and time of each such payment and from whom received;

54 (6) (A) A detailed statement of every activity that the registrant is performing, assuming or
55 purporting to perform, directing others to perform, or has agreed to perform for the registrant or for
56 any person other than a foreign principal from an adversary nation or a foreign terrorist
57 organization and that requires registration under this section, including a detailed statement of any
58 such activity that is a political activity;

59 (B) The name, business, and residence addresses, and if an individual, such individual's
60 citizenship, of any such other person;

61 (C) The extent to which each such other person is supervised, directed, owned, controlled,
62 financed, or subsidized, in whole or in part, by any government of a foreign country or foreign
63 political party, or by any other foreign principal from an adversary nation or a foreign terrorist
64 organization; and

65 (D) The nature and amount of contributions, income, money, or thing of value, if any, that

66 the registrant has received during the preceding six months from each such other person in
67 connection with any of the activities referred to in subdivision (1)(f)(i) of this section, either as
68 compensation or for disbursement or otherwise, and the form and time of each such payment and
69 from whom received;

70 (7)(A) A detailed statement of the money and other things of value spent or disposed of by
71 the registrant during the preceding six months in furtherance of or in connection with activities that
72 require registration under this section and that have been undertaken by the registrant either as an
73 agent of a foreign principal from an adversary nation or a foreign terrorist organization, for the
74 registrant, or for any other person or in connection with any activities relating to the registrant
75 becoming an agent of such principal; and

76 (B) A detailed statement of any contributions of money or other things of value made by the
77 registrant during the preceding six months, other than contributions prohibited under 52 U.S.C.
78 30121, as such section existed on April 1, 2026, in connection with an election to any political
79 office or in connection with any primary election, convention, or caucus held to select candidates
80 for any political office;

81 (8) Copies of each written agreement and the terms and conditions of each oral
82 agreement, including all modifications of such agreements, or, if no agreement exists, a full
83 statement of all the circumstances, by reason of which the registrant is performing, assuming or
84 purporting to perform, directing others to perform, or has agreed to perform for the registrant, for a
85 foreign principal from an adversary nation or a foreign terrorist organization, or for any other
86 person, any activities that require registration under this section;

87 (A) Such other statements, information, or documents pertinent to the purposes of this
88 subsection as the West Virginia Attorney General, having due regard for the national security and
89 the public interest, may from time to time require; and

90 (9) Such further statements and such further copies of documents as are necessary to
91 make the statements made in the registration statement and supplements to such statement, and

92 the copies of documents furnished therewith, not misleading.

93 (b) Every agent of a foreign principal from an adversary nation or a foreign terrorist
94 organization who has filed a registration statement required by subsection of this section shall,
95 within thirty days after the expiration of each period of six months succeeding such filing, file with
96 the Attorney General a supplement to such statement under oath, on a form prescribed by the
97 Attorney General. Such statement shall set forth, with respect to such preceding six-month period,
98 such facts as the Attorney General, having due regard for the national security and the public
99 interest, deems necessary to make the information required under this section accurate,
100 complete, and current with respect to such six-month period. In connection with the information
101 furnished under subsections (a)(3), (a)(4), (a)(6)(A), and (a) (8) of this section, the registrant shall
102 give notice to the Attorney General of any change therein within ten days after such change
103 occurs. If the Attorney General, having due regard for the national security and the public interest,
104 determines that it is necessary to carry out the purposes of the Foreign Adversary and Terrorist
105 Agent Registration Act, the Attorney General may, in any particular case, require supplements to
106 the registration statement to be filed at more frequent intervals with respect to all or particular
107 items of information to be furnished.

108 (c) The registration statement and supplements to such statement shall be executed under
109 oath as follows:

110 (1) If the registrant is an individual, by such individual;

111 (2) If the registrant is a partnership, by the majority of the partners thereof; and

112 (3) If the registrant is a person other than an individual or a partnership, by a majority of the
113 officers thereof or persons performing the functions of officers or by a majority of the board of
114 directors thereof or persons performing the functions of directors, if any.

115 (d) The fact that a registration statement or supplement has been filed shall not:

116 (1) Necessarily be deemed full compliance with the Foreign Adversary and Terrorist Agent
117 Registration Act and the rules and regulations adopted and promulgated under the act on the part

118 of the registrant;

119 (2) Indicate that the Attorney General has in any way passed judgement upon the merits of
120 such statement or supplement; or

121 (3) Preclude liability for willfully:

122 (i) Failing to file a registration statement or supplement when due; or

123 (ii) Making a false statement of a material fact in such statement, supplement, or any other
124 document filed with or furnished to the Attorney General under the Foreign Adversary and Terrorist
125 Agent Registration Act.

126 (e) If any agent of a foreign principal required to register under the Foreign Adversary and
127 Terrorist Agent Registration Act has previously registered with the Attorney General under the act,
128 the Attorney General, in order to eliminate inappropriate duplication, may permit the incorporation
129 by reference in the registration statement or supplements of any information or documents
130 previously filed by such agent.

§15-17-5. Exceptions.

1 (a) §15-17-4 of this code shall not apply to the following agents of foreign principals:

2 (1) A duly accredited diplomatic or consular officer of a foreign government who is so
3 recognized by the United States Department of State, while such officer is engaged exclusively in
4 activities that are recognized by the United States Department of State as being within the scope
5 of the functions of such officer;

6 (2) Any official of a foreign government, if such government is recognized by the United
7 States, who is not a public relations counsel, publicity agent, information service employee, or a
8 citizen of the United States, whose name and status and the character of whose duties as such
9 official are of public record in the United States Department of State, while such official is engaged
10 exclusively in activities that are recognized by the United States Department of State as being
11 within the scope of the functions of such official;

12 (3) Any foreign member of the staff of, or any person employed by, a duly accredited

13 diplomatic or consular officer of a foreign government who is so recognized by the United States
14 Department of State, other than a public relations counsel, publicity agent, or information service
15 employee, whose name and status and the character of whose duties as such member or
16 employee are of public record in the United States Department of State, while such member or
17 employee is engaged exclusively in the performance of activities that are recognized by the United
18 States Department of State as being within the scope of the functions of such member or
19 employee;

20 (4) Any person qualified to practice law in this state, insofar as such person engages or
21 agrees to engage only in the legal representation of a foreign principal from an adversary nation or
22 a foreign terrorist organization before any state or federal court or agency or any agency of a
23 political subdivision of this state, except that for the purposes of the Foreign Adversary and
24 Terrorist Agent Registration Act, legal representation does not include political activities or
25 attempts to influence or persuade agency personnel or officials other than in the course of judicial
26 proceedings, criminal or civil law enforcement inquiries, investigations, or proceedings, or agency
27 proceedings required by statute or regulation to be conducted on the record; or

28 (5) Any person who advocates on behalf of an individual for individualized legal
29 immigration relief.

30 (b) No person acting as an agent of a foreign principal from an adversary nation or a foreign
31 terrorist organization shall subcontract for services for activities regulated under the Foreign
32 Adversary and Terrorist Agent Registration Act requiring registration as an agent of a foreign
33 principal, or otherwise induce another person to carry out activities that are so regulated under the
34 act unless such person fully informs all parties of their status as such an agent. The requirements
35 of this subsection apply to any person carrying out services or activities regulated under the act
36 requiring registration as an agent of a foreign principal.

§15-17-6. Foreign agent or principal.

1 (a) Every person in West Virginia who is an agent of a foreign principal from an adversary

2 nation or a foreign terrorist organization and who is required to register under the Foreign
3 Adversary and Terrorist Agent Registration Act and who transmits or causes to be transmitted in
4 the United States mail, through digital communication, or by any means or instrumentality of
5 interstate or foreign commerce any informational materials for, or in the interests of, such foreign
6 principal in the form of printed material or in any other form that is reasonably adapted to being,
7 that such person believes will be, or that such person intends to be, disseminated or circulated
8 among two or more persons shall, not later than 48 hours after the beginning of the transmittal
9 thereof, file with the Attorney General two copies thereof.

10 (b) It shall be unlawful for any person in West Virginia who is an agent of a foreign principal
11 from an adversary nation or a foreign terrorist organization and required to register under the
12 Foreign Adversary and Terrorist Agent Registration Act to transmit or cause to be transmitted in
13 the United States mail, through digital communication, or by any means or instrumentality of
14 interstate or foreign commerce any informational materials for, or in the interests of, such foreign
15 principal without placing in such informational materials a conspicuous statement that the
16 materials are distributed by the agent on behalf of such foreign principal, and that additional
17 information is on file with the Attorney General. The Attorney General may by rule and regulation
18 define what constitutes a conspicuous statement for the purposes of this section.

19 (c) The copies of informational materials required by this section to be filed with the
20 Attorney General shall be available for public inspection under such rules and regulations as the
21 Attorney General may adopt and promulgate.

22 (d) It shall be unlawful for any person who is an agent of a foreign principal from an
23 adversary nation or a foreign terrorist organization required to register under the Foreign
24 Adversary and Terrorist Agent Registration Act to transmit, convey, or otherwise furnish to any
25 agency or official of the state, including any agency or official of a political subdivision of the state,
26 for or in the interests of such foreign principal, any political propaganda, or to request from any
27 such agency or official for, or in the interests of, such foreign principal, any information or advice

28 with respect to any matter pertaining to the political or public interests, policies, or relations of an
29 adversary nation, a foreign terrorist organization, or a political party from an adversary nation or a
30 foreign terrorist organization, or pertaining to the foreign or domestic policies of the United States
31 or this state, unless the propaganda or the request is prefaced or accompanied by a true and
32 accurate statement to the effect that such person is registered as an agent of such foreign principal
33 under the Foreign Adversary and Terrorist Agent Registration Act.

34 (e) Whenever any agent of a foreign principal from an adversary nation or a foreign terrorist
35 organization required to register under the Foreign Adversary and Terrorist Agent Registration Act
36 appears before any committee of the Legislature or a local government to testify for, or in the
37 interests of, such foreign principal, such agent shall, at the time of such appearance, furnish the
38 committee with a copy of such agent's most recent registration statement filed with the Attorney
39 General for inclusion in the records of the committee as part of such agent's testimony. Such
40 agent shall also state at the beginning of any testimony or interaction with any government official
41 of this state in a voice sufficiently loud enough for all in the area to hear "I, (state their name), am a
42 Lobbyist for (full name of the foreign adversary)."

§15-17-7. Record retention.

1 (a) Every person who is an agent of a foreign principal from an adversary nation or a
2 foreign terrorist organization registered under the Foreign Adversary and Terrorist Agent
3 Registration Act shall keep, maintain and preserve, while such person is such an agent, such
4 books of account and other records with respect to all activities, the disclosure of which is required
5 under the act, in accordance with such business and accounting practices, as the Attorney
6 General, having due regard for the national security and the public interest, may by rule and
7 regulation require as necessary or appropriate for the enforcement of the act and shall preserve
8 such records for a period of five years following the termination of such status. Until rules and
9 regulations are in effect under this section, every agent of a foreign principal from an adversary
10 nation or a foreign terrorist organization shall keep books of account and shall preserve all written

11 records with respect to such agent's activities. Such books and records shall be open at all
12 reasonable times to the inspection of any official charged with the enforcement of the act.

13 (b) No person shall willfully

14 (1) Conceal, destroy, obliterate, mutilate, or falsify, any book or record that is required to be
15 kept under the act,

16 (2) Attempt such conduct, or

17 (3) Cause such conduct to be done.

§15-17-8. Duties of the Attorney General.

1 (a) The Attorney General shall retain in permanent form one copy of each registration
2 statement furnished under the Foreign Adversary and Terrorist Agent Registration Act, and such
3 statement shall be a public record and open to public examination and inspection at such
4 reasonable hours, under such rules and regulations as the Attorney General may adopt and
5 promulgate.

6 (b) The Attorney General shall, upon receipt, promptly transmit one copy of any registration
7 statement filed, and one copy of every amendment or supplement to such statement filed, to the
8 United States Secretary of State for such comment and use as the secretary may determine to be
9 appropriate from the point of view of the foreign relations of the United States. Failure of the
10 Attorney General to transmit such copy shall not be a bar to prosecution under the Foreign
11 Adversary and Terrorist Agent Registration Act.

12 (c) The Attorney General may furnish information obtained by the Attorney General in the
13 administration of the act to state and federal agencies and to committees of the Legislature. The
14 Attorney General may furnish such information as may be appropriate in light of the purposes of
15 the act. This includes, but is not limited to, the names of registrants under the act, copies of
16 registration statements, or parts thereof, and other documents or information filed under the act.

17 (d) The Attorney General shall annually report to the Legislature concerning administration
18 of the Foreign Adversary and Terrorist Agent Registration Act, including registrations filed

19 pursuant to the act, and the nature, sources, and content of political propaganda disseminated and
20 distributed.

21 (e) Every six months, the Attorney General shall post a report on the portal described in the
22 section of this act concerning administration of the Foreign Adversary and Terrorist Agent
23 Registration Act, including registrations filed pursuant to the act, and the nature, sources, and
24 content of political propaganda disseminated and distributed.

§15-17-9. Supplemental registration.

1 For an agent of a foreign principal from an adversary nation or a foreign terrorist
2 organization that is not an individual, each officer or director of such agent or person performing
3 the functions of an officer or a director shall cause such agent to execute and file a registration
4 statement and supplements to such statement as and when such filing is required under section 4
5 of this act and shall also cause such agent to comply with sections 6 and 7 of this act and all other
6 requirements of the Foreign Adversary and Terrorist Agent Registration Act. Dissolution of any
7 organization acting as an agent of a foreign principal from an adversary nation or a foreign terrorist
8 organization shall not relieve any such agent from complying with this section. In case of the failure
9 of any such agent to comply with any of the requirements of the act, each of such agent's officers,
10 directors, or persons performing the functions of officers or directors shall be subject to
11 prosecution under the act.

§15-17-10. Penalties.

1 (a) A person shall not:

2 (1) Willfully violate any provision of the Foreign Adversary Terrorist Agent Registration Act
3 or any rule or regulation under the act; or

4 (2) Willfully make a false statement of a material fact in any registration statement,
5 supplement to such statement, or any other document filed with or furnished to the Attorney
6 General under the act.

7 (b) A person who violates this section shall be fined not less than \$10,000 nor more than

8 \$50,000 and confined in a state correctional facility for not less than one year nor more than three
9 years. Foreign nationals who violate this section are subject to deportation. All penalties collected
10 under this section shall be remitted to the State Treasurer for distribution in accordance with the
11 relevant section of the West Virginia Constitution.

12 (c) If a person found to be in violation of subsection (a) of this section is a student, a faculty
13 member, a researcher, or an adjunct or is otherwise employed by or associated with a
14 postsecondary educational institution, such person may be expelled or dismissed from any role
15 with any postsecondary educational institution in this state and may be prohibited from entering
16 any campus of such an institution in West Virginia. It shall be the purview of the postsecondary
17 educational institution to establish additional appropriate responses to violations of subsection (a)
18 of this section, in addition to penalties prescribed in subsection (a) of this section.

19 (d) Each postsecondary educational institution in West Virginia shall adopt a policy
20 regarding any permanent expulsion and dismissal of persons found to be in violation of subsection
21 (a) of this section.

22 (e) Failure to file any registration statement or supplements to such statement as required
23 by section 4 of this act shall be considered a continuing violation for as long as such failure exists,
24 notwithstanding any statute of limitation or other statute to the contrary.

25 (f) Whenever, in the judgment of the Attorney General, any person has engaged in any act
26 or practice that constitutes a violation of the Foreign Adversary and Terrorist Agent Registration
27 Act or any rule or regulation under the act, the Attorney General may apply to the circuit court for
28 an order enjoining such acts or practices or for an order directing compliance. Upon a showing by
29 the Attorney General that such person has engaged in any such acts or practices, the court may
30 issue a temporary or permanent injunction, restraining order, or such other order that it may deem
31 proper.

32 (g) If the Attorney General determines that a registration statement does not comply with
33 the requirements of the Foreign Adversary and Terrorist Agent Registration Act or the rules and

34 regulations adopted and promulgated under the act, the Attorney General shall notify the
35 registrant in writing, specifying in what respects the statement is deficient. No person shall act as
36 an agent of a foreign principal from an adversary nation or a foreign terrorist organization at any
37 time ten days or more after receipt of such notification without filing an amended registration
38 statement in full compliance with the requirements of the act and the rules and regulations adopted
39 and promulgated under the act.

40 (h) It shall be unlawful for any agent of a foreign principal from an adversary nation or a
41 foreign terrorist organization required to register under the Foreign Adversary and Terrorist Agent
42 Registration Act to be a party to any contract, agreement, or understanding, either express or
43 implied, with such foreign principal pursuant to which the amount or payment of the compensation,
44 fee, or other remuneration of such agent is contingent, in whole or in part, upon the success of any
45 political activities carried on by such agent.

§15-17-11. Businesses and non-profit organizations.

1 (a) All businesses and nonprofit organizations operating within West Virginia shall attest
2 that they are cognizant of and in compliance with the Foreign Adversary and Terrorist Agent
3 Registration Act.

4 (b) The attestation required by this section shall be filed as follows:

5 (1) For a domestic or foreign limited liability company, the attestation shall be included in
6 the biennial report in each odd-numbered year under the relevant section of the relevant statute;

7 (2) For a domestic or foreign corporation subject to the West Virginia Business Corporation
8 Act or other relevant Act, the attestation shall be included in the biennial report in each even-
9 numbered year under the relevant section of the relevant statute;

10 (3) For a domestic or foreign nonprofit corporation, the attestation shall be included in the
11 biennial report in each odd-numbered year under the relevant section of the relevant statute;

12 (4) For a domestic or foreign limited liability partnership, the attestation shall be included in
13 the annual report under the relevant section of the relevant statute;

14 (5) For banking, insurance, and building and loan association corporations paying fees and
15 making reports to the West Virginia Insurance Commissioner or the West Virginia Commissioner
16 of Financial Institutions, the attestation shall be included on a report filed with the Insurance
17 Commissioner or the Commissioner of Financial Institutions. Each Commissioner shall determine
18 the frequency with which such reports must be filed but shall not require a report to be filed more
19 frequently than on an annual basis; and

20 (6) For any other business or nonprofit organization not described in subdivisions (b)(1)
21 through (5) of this section, the attestation shall be included on the annual or biennial report
22 submitted to the West Virginia Secretary of State as required by the organic law of the business or
23 nonprofit organization.

24 (c) The Attorney General shall develop the attestation required by this section in
25 consultation with the Secretary of State.

26 (d) The Secretary of State may adopt and promulgate rules and regulations to carry out this
27 section.

28 (e) An unincorporated entity that is of a type that is not created by filing a public organic
29 document with the Secretary of State is exempt from this section.

§15-17-12. Portal.

1 (a) In order to increase public transparency, the Attorney General shall provide information
2 about agents of foreign principals registered in West Virginia on a portal of the Attorney General's
3 website. The portal shall contain the information about each registrant and each registrant's
4 activities within West Virginia.

5 (b) The Attorney General may exchange data with government officials in other states and
6 the federal government in order to increase the transparency and registration compliance of
7 foreign principals from adversary nations or foreign terrorist organizations that operate in multiple
8 states.

§15-17-13. Rules.

1 (a) In order to ensure compliance with the Foreign Adversary and Terrorist Agent
2 Registration Act, if the Attorney General has reasonable cause to believe that any person has
3 engaged in or is engaging in any act or practice in violation of the Foreign Adversary and Terrorist
4 Agent Registration Act, the Attorney General shall have the power to issue civil investigative
5 demands to persons suspected of being agents of foreign principals from adversary nations or
6 foreign terrorist organizations.

7 (b) The Attorney General may adopt and promulgate rules and regulations to carry out the
8 act.

9 (c) In conducting investigations of potential violations of the Foreign Adversary and
10 Terrorist Agent Registration Act and in enforcing the act, the Attorney General shall not infringe
11 upon the protections set forth in the Personal Privacy Protection Act.

§15-17-14.

Purpose.

1 The purpose of the Transnational Repression Act is to counter the threat and practice of
2 transnational repression committed by foreign governments or foreign terrorist organizations
3 against the citizens and residents of this state, and to counter the threat and practice of foreign
4 government interstate harassment through extranational enforcement of foreign government laws
5 and directives.

§15-17-15.

Definitions.

1 (a) For purposes of the Transnational Repression Act:

2 (1) "Agent of a foreign principal" means an agent directed or controlled by a foreign
3 principal, or the proxies of such agent;

4 (2) "Foreign adversary" means those countries identified pursuant to the processes in §37-
5 3A-2 of this code;

6 (3) "Foreign political party" has the same meaning as in the Foreign Adversary and
7 Terrorist Agent Registration Act;

8 (4) "Foreign principal" means:

- 9 (A) The government of a foreign country or any official or subdivision of such government;
10 (B) A foreign political party or any member or subdivision of such party;
11 (C) A foreign terrorist organization or any member or subdivision of such organization;
12 (D) A partnership, association, corporation, organization, or other combination of persons
13 that is:
14 (i) Organized under the laws of, or has its principal place of business in, a foreign
15 adversary, or a subsidiary of such entity; or
16 (ii) Owned or controlled wholly or in part by any person or combination of persons of a
17 foreign adversary or foreign terrorist organization; or
18 (E) Any entity that is owned or controlled in whole or in part by a person or entity described
19 in subdivision (4)(A), (B), (C), or (D) of this section;
20 (b) "Foreign terrorist organization" has the same meaning as in the Foreign Adversary and
21 Terrorist Agent Registration Act;
22 (c) "Government of a foreign country" has the same meaning as in the Foreign Adversary
23 and Terrorist Agent Registration Act; and
24 (d) Transnational repression includes actions and behaviors emanating from or attributable
25 to a foreign principal committed by an agent of such foreign principal, acting outside or within the
26 foreign principal's territory, with the intention of harassing, intimidating, censoring, or otherwise
27 extending such principal's ability to influence, control, or impose such principal's preferences on
28 the behavior of individuals outside of the principal's territory or jurisdiction. Such actions and
29 behaviors include direct and indirect methods, including physical contact, threats, electronic
30 targeting, actual or credible threats of collective punishment or harassment of individuals under
31 the principal's effective control, financial coercion, abuse of administrative processes, selective
32 prosecution of laws of general application, or the use or direction of social media and
33 telecommunications entities.

1 For purposes of this section:

2 (1) "Covered offense" means:

3 (A) Assault in the first degree;

4 (B) Assault in the second degree;

5 (C) Assault in the third degree;

6 (D) Terroristic threats;

7 (E) Stalking;

8 (F) Violation of a harassment protection order;

9 (G) False imprisonment in the first degree;

10 (H) False imprisonment in the second degree; or

11 (I) Attempt, conspiracy, solicitation, being an accessory to, aiding and abetting, aiding the

12 consummation of, or compounding a felony with any of the other offenses in subdivision (a)(1) of

13 this section as the underlying offense.

14 (2) "Protected conduct" means conduct that is lawful under local, state, and federal law and

15 consists of:

16 (A) The free exercise of religion;

17 (B) Speech, orally or in writing in print or digital form, on a matter of public interest or

18 concern;

19 (C) Petitioning any local, state, or federal government entity for redress of grievances; or

20 (D) Peaceably assembling.

21 (3) Any person who commits a covered offense shall be punished by the imposition of the

22 next higher penalty classification than the penalty classification prescribed for the covered offense

23 if:

24 (A) The person committing the offense is an agent of a foreign principal who acts knowingly

25 at the direction of, on behalf of, or under the influence of such foreign principal; and

26 (B) The person committed the offense with the intent to:

- 27 (i) Coerce another person to act on behalf of a foreign principal;
- 28 (ii) Coerce another person to leave the United States or cause another person to leave the
- 29 United States;
- 30 (iii) Cause another person to forebear from engaging in protected conduct; or
- 31 (iv) Retaliate against another person for engaging in protected conduct.
- 32 (4) If an offense is punishable as a misdemeanor, the enhanced penalty under this section
- 33 is a felony.
- 34 (5) The allegations supporting an enhancement under this section shall be set forth in the
- 35 indictment or information, and it shall be the burden of the prosecuting attorney to prove such
- 36 allegations beyond a reasonable doubt to the judge or jury in the state’s case in chief.

§15-17-17. Legal standard.

- 1 (a) A person commits an offense if, while acting as the agent of a foreign principal, such
- 2 person:
- 3 (1) Intentionally engages in the prevention, detection, investigation, monitoring, surveilling,
- 4 or prosecution of an offense under the law or rule of a government of a foreign country or a foreign
- 5 terrorist organization at the direction of such foreign principal, government, or organization; and
- 6 (2) Such person acts without the knowledge and approval of the appropriate state or
- 7 federal law enforcement agency of the United States.
- 8 (b) A violation of this section is a felony.

§15-17-18. Reporting.

1 The West Virginia State Police may prepare or commission an empirical and qualitative
 2 report on the threat of transnational repression in West Virginia and electronically submit such
 3 report to the Legislature.

§15-17-19. Repression recognition and response training.

1 (a) The West Virginia State Police may develop transnational repression recognition and
 2 response training. The training may be regularly updated to address emerging threats and specific

3 information on tactics used by specific foreign principals.

4 (b) Such training may include:

5 (1) How to identify different tactics of transnational repression in physical and nonphysical
6 forms;

7 (2) Those foreign principals that are known to employ transnational repression, including
8 not only those who use it most frequently, but also those who use it most egregiously, including,
9 but not limited to, tools of digital surveillance and other Internet-based tools frequently used to
10 carry out transnational repression activities;

11 (3) Best practices for appropriate local and state law enforcement prevention, reporting,
12 and response tactics; and

13 (4) Information about communities targeted by transnational repression and propaganda
14 that may be perpetuated by foreign principals.

§15-17-20. Website to report transnational repression.

1 (a) The West Virginia State Police may develop a centralized and convenient website that
2 allows members of the public to report instances of transnational repression. The website may
3 include options for reporting in commonly spoken languages, including particularly languages of
4 communities affected more frequently by transnational repression.

5 (b) The State Police may conduct a public awareness campaign to inform the public:

6 (1) How to identify and report instances of transnational repression;

7 (2) How to use the website created under this section; and

8 (3) What tools and remedies are available for victims of transnational repression.

9 (c) The State Police may electronically submit reports to the Legislature concerning
10 complaints received on the website, outcomes of such complaints, and any instances of
11 interference by foreign principals in the reporting process.

NOTE: The purpose of this bill is to create the Foreign Adversary Contracting Prohibition Act, the Foreign Adversary and Terrorist Registration Act and the Transnational Repression Act, and to clarify application requirements to become a lobbyist.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.