HOMELAND SECURITY. Provides for transparency in ownership of property considered critical infrastructure. (gov sig)

AN ACT

To enact Chapter 49 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3051 through 3054, relative to homeland security; to provide relative to ownership of immovable property; to require transparency of ownership of certain types of immovable property deemed to be critical to the health, safety, and welfare of the people of the state of Louisiana; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 51:3051 through 3054 are hereby enacted to read as follows:

CHAPTER 49. TRANSPARENCY IN OWNERSHIP

OF CRITICAL INFRASTRUCTURE

§3051. Short title

This Chapter shall be known and may be cited as the Transparency in Ownership of Critical Infrastructure Law.

§3052. Definitions

As used in this Chapter the following terms have the meanings ascribed unless the context clearly indicates otherwise:

(1) "Critical infrastructure" means any facility or operation related to:
(a) Grain storage.

(b) The manufacture and storage of fertilizer.

(c) Farming of one hundred sixty acres or more.

(d) Transportation of goods, including roads, bridges, ferries, ports, and bus, train, and air terminals.

(e) The production or transportation of energy or fuel, including petrochemicals, nuclear power, solar power, and wind power.

(f) Communications systems.

(g) Any other facility or operation designated by the Governor's Office of Homeland Security as infrastructure critical to the health, safety, and welfare of people of the state of Louisiana.

(2) "Person" means any individual, partnership, association, joint stock association, trust, corporation, or other business entity whether incorporated or not.

(3) "Key employee" means an employee, agent, or representative of an owner who holds or exercises critical or significant management or operating authority within any entity with an ownership interest in any critical infrastructure.

§3053. Reporting requirements

A. Each person who on June 1, 2022, or thereafter holds an ownership interest in any property or facility designated as critical infrastructure shall report to the secretary of state and the secretary of the Department of Economic Development the following information, on a form provided by the secretary of state:

(1) The person's legal name and domiciliary address.

(2) A brief explanation of the organizational structure of any juridical person that holds any direct or indirect ownership interest in the critical infrastructure.

(3) The legal name and domiciliary address of each person who is an
officer, owner, or key employee of any juridical person required to report
pursuant to this Subsection.

(4) The name and address of the holder of any debt or obligation
incurred to provide funding for the purchase, upkeep, or enhancement of the
critical infrastructure.

B. Each person covered by the provisions of Subsection A of this Section
shall submit the required information no later than July 1, 2022.

C. Each person who acquires an ownership interest in any critical
infrastructure after June 1, 2022, shall submit the information required by
Subsection A of this Section within thirty days of the acquisition.

§3054. Failure to file reports

Failure to comply with the provisions of this Chapter shall be grounds
for denial of any permit, license, or governmental action involving a facility or
operation that is considered critical infrastructure of the state.

Section 2. This Act shall become effective upon signature by the governor or, if not
signed by the governor, upon expiration of the time for bills to become law without signature
by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
vetoed by the governor and subsequently approved by the legislature, this Act shall become
effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by LG Sullivan.

DIGEST
SB 472 Original 2022 Regular Session Milligan

Proposed law provides for the Transparency in Ownership of Critical Infrastructure Law.

Proposed law defines terms. Proposed law provides that "critical infrastructure" means any
facility or operation related to: grain storage; the manufacture and storage of fertilizer;
farming of 160 acres or more; transportation of goods, including roads, bridges, ferries,
ports, and bus, train, and air terminals; the production or transportation of energy or fuel; and
any other facility or operation designated by the Governor's Office of Homeland Security.

Proposed law requires each person who on June 1, 2022, or thereafter holds an ownership
interest in any property or facility designated as critical infrastructure to report certain
information to the secretary of state and the secretary of the Dept. of Economic Development
including the owner's name and address, an explanation of the organizational structure if the
owner is a business entity, the names and addresses of people who own the entity and those

Coding: Words which are struck through are deletions from existing law;
words in **boldface type and underscored** are additions.
who are key employees. Requires the report to include information on any debt or obligation incurred to provide funding for the purchase, upkeep, or enhancement of the critical infrastructure. Requires those who hold ownership on June 1, 2022, to submit the report no later than July 1, 2022. Requires those who acquire ownership after June 1, 2022, to submit report within 30 days of the acquisition.

Proposed law provides that failure to report shall be grounds for denial of any permit, license, or governmental action involving a facility or operation that is considered critical infrastructure of the state.

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

(Adds R.S. 51:3051-3054)