

SENATE COMMITTEE AMENDMENTS

2022 Regular Session

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 472 by Senator Milligan

1 AMENDMENT NO. 1

2 On page 1, delete lines 4 through 6, and insert the following:

3 "prohibited contracts; to provide for designation of a country as a threat to critical  
4 infrastructure; and to provide for related matters."

5 AMENDMENT NO. 2

6 On page 1, line 8, after "Section 1." and before "R.S. 51:3051" insert "Chapter 49 of Title  
7 51 of the Louisiana Revised Statutes of 1950, comprised of" and after "3054" change "are"  
8 to ", is"

9 AMENDMENT NO. 3

10 On page 1, delete lines 9 through 17, delete page 2, on page 3, delete lines 1 through 14, and  
11 insert the following:

12 **"CHAPTER 49. PROHIBITION ON CONTRACTS WITH CERTAIN**  
13 **FOREIGN-OWNED COMPANIES IN CONNECTION WITH CRITICAL**  
14 **INFRASTRUCTURE**

15 **§3051. Short title**

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

18 **§3052. Definitions**

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

21 **(1) "Company" means a sole proprietorship, organization, association,**  
22 **corporation, partnership, joint venture, limited partnership, limited liability**  
23 **partnership, or limited liability company, including a wholly owned subsidiary,**  
24 **majority-owned subsidiary, parent company, or affiliate of those entities or**  
25 **business associations, that exists to make a profit.**

26 **(2) "Critical infrastructure" means a communication infrastructure**  
27 **system, cybersecurity system, electric grid, hazardous waste treatment system,**  
28 **or water treatment facility.**

29 **(3) "Cybersecurity" means the measures taken to protect a computer,**  
30 **computer network, computer system, or other technology infrastructure against**  
31 **unauthorized use or access.**

32 **(4) "Designated country" means a country designated by the governor**  
33 **as a threat to critical infrastructure pursuant to R.S. 51:3054.**

34 **(5) "Governmental entity" means a state agency or political subdivision**  
35 **of this state.**

36 **§3053. Prohibited contracts**

37 **A. A governmental entity shall not enter into a contract or other**  
38 **agreement relating to critical infrastructure in this state with a company if,**  
39 **under the contract or other agreement, the company would be granted direct**  
40 **or remote access to or control of critical infrastructure in this state, excluding**  
41 **access specifically allowed by the governmental entity for product warranty and**  
42 **support purposes under any of the following circumstances:**

43 **(1) The governmental entity knows that the company is owned by or the**  
44 **majority of stock or other ownership interest of the company is held or**  
45 **controlled by individuals who are citizens of China, Iran, North Korea, Russia,**  
46 **or a designated country.**

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(2) The governmental entity knows that the company or other entity, including a governmental entity, is owned or controlled by citizens of or is directly controlled by the government of China, Iran, North Korea, Russia, or a designated country.

(3) The governmental entity knows that the company or other entity is headquartered in China, Iran, North Korea, Russia, or a designated country.

B. The provisions of Subsection A of this Section shall apply regardless of whether the company's or its parent company's securities are publicly traded or the company or its parent company is listed on a public stock exchange as a Chinese, Iranian, North Korean, or Russian company or a company of a designated country.

§3054. Designation of country as a threat to critical infrastructure

A. The governor, after consultation with the director of the Governor's Office of Homeland Security and Emergency Preparedness, may designate a country as a threat to critical infrastructure for purposes of this Chapter.

B. The governor shall consult the Senate and House select committees on homeland security, to assess a threat to critical infrastructure for purposes of making a designation under this Section."