

2025 Regular Session

HOUSE BILL NO. 125

BY REPRESENTATIVE HORTON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

TECHNOLOGY: Provides for the protection, storage, and access of genomic information

1 AN ACT

2 To enact Chapter 59-B of Title 51 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 51:3181 through 3185, relative to protecting an individual's
4 genomic information from certain foreign entities; to provide for definitions; to
5 prohibit the use of certain genetic sequencers and software; to limit storage locations
6 and remote access to genomic information; to provide for penalties; to provide for
7 fines and damages; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Chapter 59-B of Title 51 of the Louisiana Revised Statutes of 1950,
10 comprised of R.S. 51:3181 through 3185, is hereby enacted to read as follows:

11 CHAPTER 59-B. HUMAN GENOMIC SECURITY

12 §3181. Short title; purpose; legislative intent

13 A. This Chapter may be cited as the "Louisiana Human Genomic Security
14 Act of 2025".

15 B.(1) The purpose of this Chapter is to ensure that blacklisted adversary
16 military companies do not gain access to American human genetic information.

17 (2) It is declared the policy of this state to oppose the collection and analysis
18 of human genetic information for use by the military and surveillance state of the
19 People's Republic of China and other foreign adversaries. It is furthermore declared

1 the policy of this state to support sanctions imposed by the United States Department
2 of Commerce and the United States Department of Defense upon companies engaged
3 in the collection and analysis of human genetic information for use by the military
4 and surveillance state of the People's Republic of China and other foreign
5 adversaries.

6 §3182. Definitions

7 As used in this Chapter, the following definitions apply:

8 (1) "Company" means a for-profit sole proprietorship, organization,
9 association, corporation, partnership, joint venture, limited partnership, limited
10 liability partnership, or limited liability company, including a wholly owned
11 subsidiary, majority-owned subsidiary, or parent company of those entities or
12 business associations that exists to make a profit; or a nonprofit organization.

13 (2) "Domicile" means any of the following:

14 (a) The country where a company is registered and headquartered.

15 (b) The country where a company's affairs are primarily completed.

16 (c) The country where a majority ownership of the company is held.

17 (3) "Foreign adversary" means any of the following nations:

18 (a) The People's Republic of China including the Hong Kong Special
19 Administrative Region.

20 (b) Republic of Cuba.

21 (c) Islamic Republic of Iran.

22 (d) Democratic People's Republic of Korea.

23 (e) Russian Federation.

24 (4) "Foreign adversary company" means any company, other than a United
25 States person or United States subsidiary as defined in 15 CFR 772.1, that is any of
26 the following:

27 (a) Domiciled, incorporated, issued, or listed in a foreign adversary country.

28 (b) Headquartered in a foreign adversary country.

29 (c) Has its principal place of business in a foreign adversary country.

1 (d) Controlled by the government of the People's Republic of China, the
2 Chinese Communist Party, the Chinese military, or any instrumentality thereof,
3 including the State-owned Assets Supervision and Administration Commission of
4 the State Council or the National Social Security Fund.

5 (e) Is majority-owned by an entity controlled by the government of the
6 People's Republic of China, the Chinese Communist Party, the Chinese military, or
7 any instrumentality thereof, including the State-owned Assets Supervision and
8 Administration Commission of the State Council or the National Social Security
9 Fund.

10 (f) Itself receives or is the subsidiary of a parent company which receives
11 more than fifty percent of its total annual revenue from a foreign adversary country.

12 (5) "Human genetic sequencer" means a device or platform used to conduct
13 human genetic sequencing, resequencing, isolation, or other genetic research.

14 (6) "Human genetic sequencing" means any method to determine the identity
15 and order of nucleotide bases in the human genome.

16 (7) "Human genomic research facility" means a facility that conducts
17 research on, with, or relating to genetic sequencing or the human genome.

18 (8) "Human genome" means the complete set of deoxyribonucleic acid
19 instructions found within a human cell encompassing all the genetic information
20 needed for an individual to develop and function.

21 (9) "Medical facility" means either of the following:

22 (a) A facility for the delivery of healthcare services that receives state
23 monies including interagency pass-through appropriations from the federal
24 government.

25 (b) A facility licensed or certified by this state to provide healthcare services.

26 (10) "Operational and research software" means a computer program used
27 for the operation, control, analysis, or other necessary functions of human genetic
28 sequencing or human genetic sequencers.

1 §3183. Prohibition on certain genetic sequencers and genetic sequencing
2 technologies

3 A. A medical facility or research facility in this state shall not put into service
4 within this state any new or additional human genetic sequencers or operational and
5 research software used for human genetic analysis produced by any of the following:

6 (1) The government of a foreign adversary.

7 (2) A state-owned company of a foreign adversary.

8 (3) A foreign adversary company.

9 B. A medical facility or human genomic research facility shall replace any
10 human genetic sequencers and operational or research software prohibited by
11 Subsection A of this Section with equipment that is not prohibited by this Section.

12 §3184. Requirements for the storage of genetic information

13 A. A medical facility, human genomic research facility, or company shall
14 restrict the storage of human genetic sequencing data to geographic locations outside
15 of a foreign adversary country. Remote access to data storage, other than open data,
16 from a foreign adversary country is prohibited.

17 B. A medical facility, human genomic research facility, or company storing
18 human genetic sequencing data, including through contracts with third-party data
19 storage companies, shall ensure the security of human genetic sequencing data by
20 using reasonable encryption methods, restrictions on access, and other cybersecurity
21 best practices.

22 §3185. Penalties; powers of the attorney general

23 A.(1) A medical facility or human genomic research facility that violates the
24 provisions of this Chapter shall be fined ten thousand dollars per violation. A
25 violation means each unique instance of an individual's genome having undergone
26 genetic sequencing or analysis using a prohibited human genetic sequencer or a
27 prohibited operational or research software.

28 (2) A medical facility, human genomic research facility, or company that
29 knowingly violates the provisions of this Chapter by storing human genetic

1 sequencing data in a foreign adversary country shall be fined ten thousand dollars per
2 violation.

3 B. The attorney general has the sole authority to investigate allegations of
4 violations of this Chapter and to enforce violations of R.S. 51:3183 and 3184.

5 Section 2. The provisions of R.S. 51:3183(A) as enacted by Section 1 of this Act
6 shall have prospective application only upon signature of the governor.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 125 Engrossed

2025 Regular Session

Horton

Abstract: Provides for the manner of collection, storage, and access of human genomic information to protect from unauthorized access by foreign adversaries.

Proposed law provides for definitions.

Proposed law identifies foreign adversaries as the People's Republic of China, the Republic of Cuba, the Islamic Republic of Iran, the Democratic People's Republic of Korea, and the Russian Federation.

Proposed law prohibits a medical or research facility from putting into service any new or additional human genetic sequencers or software produced by foreign adversaries.

Proposed law prohibits medical facilities, human genomic research facilities, and companies from storing human genetic sequencing data in a foreign adversary country and to limit remote access inside of a foreign adversary country.

Proposed law tasks medical facilities, human genomic research facilities, and companies with ensuring that reasonable and proper cybersecurity measures are implemented to protect human genetic sequencing data.

Proposed law provides that an entity that violates the requirements of proposed law is to be fined \$10,000.

Proposed law states that the attorney general has the sole authority to investigate allegations of violations of proposed law.

(Adds R.S. 51:3181-3185)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Clarify that proposed law applies to the genetic and genomic information of humans.
2. Clarify the definition of "company".

3. Define "foreign adversary company".
4. Provide that a medical facility or a research facility shall not put into service any new or additional human genetic sequencers or operational and research software used for human genetic analysis produced by the government of a foreign adversary, a state-owned company of a foreign adversary, or a foreign adversary company.
5. Provide sole enforcement authority to the attorney general.
6. Remove annual certification of compliance requirement.
7. Give the provisions of proposed law (R.S. 51:3183(A)) prospective application only upon signature of the governor.
8. Make technical changes.