

2026 Regular Session

SENATE BILL NO. 399

BY SENATORS BASS, HODGES AND MIGUEZ

COLLEGES/UNIVERSITIES. Creates the Louisiana Higher Education Research Security Council. (1/1/27)

1 AN ACT

2 To enact Part III-D of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 17:1828 through 1828.11, relative to institutions of higher
4 education; to create the Louisiana Higher Education Research Security Council; to
5 provide for definitions; to provide relative to council responsibilities; to provide for
6 requirements for gifts, contracts, research partnerships, and academic partnerships
7 from foreign adversaries; to provide for penalties; to provide relative to international
8 cultural agreements; to provide relative to travel and gift prohibitions; to provide
9 relative to research partnerships; to provide relative to educational software linked
10 to foreign adversaries; to provide relative to political parties and members; to
11 provide relative to the theft of trade secrets; to provide for severability; to provide
12 for an effective date; and to provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. Part III-D of Chapter 5 of Title 17 of the Louisiana Revised Statutes of
15 1950, comprised of R.S. 17:1828 through 1828.11, is hereby enacted to read as follows:

16 **PART III-D. RESEARCH AND EDUCATION PROTECTION ACT OF 2026**

17 **§1828. Short title; purpose**

1 A. This Part shall be known and cited as the "Research and Education
2 Protection Act of 2026".

3 B. The purpose of this Part is to protect Louisiana's research and
4 educational systems from malicious influence from foreign adversaries.

5 §1828.1. Definitions

6 As used in this Part, the following terms have the following meanings
7 unless the context clearly indicates otherwise:

8 (1) "Academic partnership" shall mean a formal collaboration between
9 two or more educational or research institutions to achieve shared goals in
10 teaching, research, or innovation.

11 (2) "Affiliate organization" shall mean any entity under the control of
12 or established for the benefit of an organization required to report under this
13 Part, including a direct-support organization.

14 (3) "Agreement" means a written or spoken statement of mutual interest
15 in cultural exchange, academic, or research collaboration.

16 (4) "Contract" shall mean any agreement for the acquisition by
17 purchase, lease, or barter of property or services, for the direct benefit or use
18 of either of the parties.

19 (5) "Council" shall mean the Louisiana Higher Education Research
20 Security Council established under this Part.

21 (6) "Direct-support organization" shall mean an organization which is
22 organized and operated to receive, hold, invest, and administer property and to
23 make expenditures to or for the benefit of a state college, university, or other
24 educational institution or for the benefit of a research and development park or
25 research and development authority affiliated with a state college, university,
26 or other educational institution.

27 (7) "Foreign adversary" shall mean those countries listed as foreign
28 adversaries in 15 CFR 791.4 and those countries and entities designated as
29 foreign terrorist organizations by the United States Secretary of State in

1 accordance with Section 219 of the Immigration and Naturalization Act, as
2 amended, including any agent of or any other entity under significant control
3 of such foreign adversary. If a nation is added to 15 CFR 791.4, the Louisiana
4 Higher Education Research Security Council shall meet at the earliest possible
5 opportunity to provide guidance to the systems of higher education on existing
6 agreements.

7 (8) "Foreign agent" shall mean any officer, employee, proxy, servant,
8 delegate, or representative of a foreign government.

9 (9) "Foreign government" shall mean the government of any country,
10 nation, or group of nations, or any province or other political subdivision of any
11 country or nation, other than the government of the United States, including
12 any agent of such foreign government.

13 (10) "Foreign instrumentality" shall mean any agency, bureau, ministry,
14 component, institution, association, or any legal, commercial, or business
15 organization, corporation, firm, or entity that is substantially owned, controlled,
16 sponsored, commanded, managed, or dominated by a foreign government.

17 (11) "Foreign source" shall mean any of the following:

18 (a) A foreign government or an agency of a foreign government.

19 (b) A legal entity, governmental or otherwise, created solely under the
20 laws of a foreign state or states.

21 (c) An individual who is not a citizen or a national of the United States
22 or a territory or protectorate of the United States.

23 (d) A partnership, association, corporation, organization, or any other
24 combination of persons organized under the law or having its principal place
25 of business in a foreign country, or a subsidiary of such entity.

26 (e) An agent, including a subsidiary or an affiliate of a foreign legal
27 entity, acting on behalf of a foreign source.

28 (f) A political party or member of a political party.

29 (12) "Gift" shall mean any gift, grant, endowment, award, or donation

1 of money or thing of economic value, or any combination thereof, including a
2 conditional or unconditional pledge of such gift, endowment, award, or
3 donation.

4 (13) "Grant" shall mean a transfer of money for a specified purpose,
5 including a conditional gift.

6 (14) "Institution of higher education" shall mean a state college or
7 university or an independent nonprofit college or university that is located in
8 and chartered by the state and grants baccalaureate or higher degrees, or any
9 other institution that has a physical presence in the state and is required to
10 report foreign gifts or contracts pursuant to 20 U.S.C. §1011f, or an affiliate
11 organization to a covered institution.

12 (15) "Interest" in an entity shall mean any direct or indirect investment
13 in or loan to the entity valued at five percent or more of the entity's net worth,
14 or any form of direct or indirect control exerting similar or greater influence
15 on the governance of the entity.

16 (16) "Obtain or use" shall mean any manner of:

17 (a) Taking or exercising control over property.

18 (b) Making any unauthorized use, disposition, or transfer of property.

19 (c) Obtaining property by fraud, willful misrepresentation of a future
20 act, or false promise.

21 (d) Conduct previously known as stealing, larceny, purloining,
22 abstracting, embezzlement, misapplication, misappropriation, conversion, or
23 obtaining money or property by false pretenses, fraud, or deception; or other
24 conduct similar in nature.

25 (17) "Partnership" shall mean a faculty or student exchange program,
26 a study abroad program, a matriculation program, a recruiting program, or a
27 dual degree program.

28 (18) "Person" shall mean any natural person, corporation, business
29 trust, estate, trust, partnership, association, joint venture, government,

1 governmental subdivision or agency, or any other legal or commercial entity.

2 (19) "Pledge" shall mean a promise, an agreement, or an expressed
3 intention to give a gift.

4 (20) "Political party" shall mean an organization or combination of
5 individuals whose aim or purpose is, or who is engaged in any activity devoted
6 in whole or in part to, the establishment, administration, control, or acquisition
7 of administration or control of a government of a foreign country or a
8 subdivision thereof.

9 (21) "Research partnership" shall mean a collaborative agreement
10 between a Louisiana institution of higher education and another institution of
11 higher education, research institute, government agency, nonprofit
12 organization, or private sector company.

13 (22) "Trade secret" shall mean the whole or any portion or phase of any
14 formula, pattern, device, combination of devices, or compilation of information
15 which is for use, or is used, in the operation of a business and which provides
16 the business an advantage, or an opportunity to obtain an advantage, over those
17 who do not know or use it. The term shall include any scientific, technical, or
18 commercial information, including financial information. It also includes any
19 design, process, procedure, list of suppliers, list of customers, business code, or
20 improvement thereof, whether tangible or intangible, and regardless of how it
21 is stored, compiled, or memorialized physically, electronically, graphically,
22 photographically, or in writing. Irrespective of novelty, invention, patentability,
23 the state of the prior art, and the level of skill in the business, art, or field to
24 which the subject matter pertains; a trade secret is considered to be:

25 (a) Secret.

26 (b) Of value.

27 (c) For use or in use by a business, institution of higher education,
28 research center, nonprofit, or other entity.

29 (d) Of advantage to the business, institution of higher education,

1 research center, nonprofit, or other entity; or providing an opportunity to
2 obtain an advantage over those who do not know or use it.

3 (e) When the owner takes measures to prevent it from becoming
4 available to persons other than those selected by the owner to have access for
5 limited purposes.

6 (23) "Traffic" shall mean:

7 (a) To sell, transfer, distribute, dispense, or otherwise dispose of
8 property.

9 (b) To buy, receive, possess, obtain control of, or use property with the
10 intent to sell, transfer, distribute, dispense, or otherwise dispose of such
11 property.

12 §1828.2. Louisiana Higher Education Research Security Council; creation;
13 powers

14 A. The Louisiana Higher Education Research Security Council is hereby
15 established for the purpose of promoting secure academic research at
16 institutions of higher education while mitigating the risk of foreign espionage
17 and interference.

18 B. The council shall be composed of the following members:

19 (1) The lieutenant governor, or his designee.

20 (2) The attorney general, or his designee.

21 (3) A representative from the Board of Regents.

22 (4) One research security officer appointed by the Board of Supervisors
23 for the University of Louisiana System.

24 (5) One research security officer appointed by the Board of Supervisors
25 of Louisiana State University and Agricultural and Mechanical College.

26 (6) One research security officer appointed by the Board of Supervisors
27 of Southern University and Agricultural and Mechanical College.

28 (7) One research security officer appointed by the Board of Supervisors
29 of Community and Technical Colleges.

1 (8) One research security officer appointed by the Board of Directors of
2 the Louisiana Association of Independent Colleges and Universities.

3 (9) One additional research security officer appointed by each governing
4 board of a university that oversees one or more medical schools.

5 (10) Three faculty members with research experience, one designated by
6 the chief academic officer of the Louisiana State University System, one
7 designated by the chief academic officer of the University of Louisiana System,
8 and one designated by the chief academic officer of the Southern University
9 System.

10 (11) The chairman of the House Select Committee on Homeland
11 Security, or his designee.

12 (12) The chairman of the Senate Select Committee on Homeland
13 Security, or his designee.

14 (13) The superintendent of the Louisiana State Police, or his designee.

15 (14) The chief information officer of the office of technology services, or
16 his designee.

17 (15) The lead special agent of the Federal Bureau of Investigation, New
18 Orleans Field Office, or his designee, shall be invited as a nonvoting ex officio
19 member.

20 C. The council member appointed by the Board of Regents shall serve
21 as the chairman of the council. The Board of Regents shall staff the council.

22 D. The council shall meet at least quarterly, but may meet more often
23 upon the call of the presiding officer, who shall call a meeting upon the request
24 of a majority of the members. Members of the council shall serve at the pleasure
25 of the appointing authority and vacancies shall be filled in the manner of the
26 original appointment.

27 E. The council shall:

28 (1) Develop or adopt a model research security policy for Louisiana
29 institutions of higher education to improve research security.

1 majority vote of all council members.

2 (2) The Board of Regents shall maintain a public web portal disclosing
3 proposed gifts, contracts, or academic or research partnerships from foreign
4 adversary sources described in this Section, along with the final decision on
5 whether to allow the relevant institution of higher education to accept the gift.

6 (3) For purposes of this Section, a gift, contract, or academic or research
7 partnership received from a foreign adversary source through an intermediary
8 shall be considered an indirect gift, contract, or partnership with the institution
9 of higher education, and is subject to the approval process described in this
10 Section.

11 (4) Upon the request of the governor, the president of the Senate, or the
12 speaker of the House of Representatives, the legislative auditor, as applicable,
13 must inspect or audit a gift, contract, or academic or research partnership.

14 B. An institution of higher education or employee thereof shall not enter
15 into any contract, academic partnership, or research partnership with a foreign
16 adversary source for any project that is funded in whole or in part by the
17 United States Department of War, United States Department of Energy, or
18 United States Department of Health and Human Services.

19 C. An institution of higher education or employee thereof shall not enter
20 into any contract, academic partnership, or research partnership with a foreign
21 adversary source with known links to the foreign adversary's military or
22 intelligence apparatus.

23 D. All institutions of higher education shall include in their employment
24 policies a prohibition on their faculty or employees taking part in any foreign
25 recruitment program by a foreign adversary nation.

26 §1828.4. Enforcement; penalties; rewards

27 A. Upon receiving a referral from an officer of an institution of higher
28 education or any sworn complaint based upon substantive information and
29 reasonable belief, the attorney general must investigate an allegation of

1 violation of this Part.

2 B. Any agent or compliance officer authorized by an institution of higher
3 education may request records relevant to any reasonable suspicion of a
4 violation of this Part. An institution of higher education must provide the
5 required records within ten days after such request or later agreed to by the
6 entity investigating the institution of higher education.

7 C. Failure to make a disclosure required under this Part or failure to
8 provide records requested under Subsection B of this Section constitutes a civil
9 violation punishable upon a final administrative finding.

10 D. A final order determining a violation by an institution of higher
11 education must include a determination of the identity of the officer responsible
12 for acceptance of the undisclosed gifts or contracts, or entrance into the
13 undisclosed academic or research partnership. Such order must also include a
14 referral to the system president or other officer authorized to suspend or
15 remove from public office the officer responsible for acceptance of the
16 undisclosed gifts or contracts or entrance into the undisclosed academic or
17 research partnership. A copy of such referral must be provided to the president
18 of the Senate, the speaker of the House of Representatives, the governor, and
19 the Louisiana Higher Education Research Security Council for oversight of
20 such suspension and removal authority.

21 E. A whistleblower who reports an undisclosed foreign gift or contract
22 may also report such undisclosed gift or contract to the attorney general's office
23 and retain whistleblower protection under R.S. 23:967. Such whistleblower shall
24 be entitled to receive a reward in the amount of twenty-five percent of any
25 penalty recovered. The attorney general is authorized to incur expenditures to
26 provide such reward from the penalty recovery. The reward may be paid
27 through an intermediate attorney or trustee designated by the whistleblower.

28 F. The council may adopt policies, as applicable, to implement this
29 Section. Institutions of higher education shall be in compliance with such

1 policies.

2 §1828.5. International cultural exchange agreements and student associations

3 A. An institution of higher education may not participate in any cultural
4 exchange agreement with a foreign source from a foreign adversary, or any
5 entity controlled by foreign adversaries unless it addresses an overwhelmingly
6 under-addressed state or national need and it avoids:

7 (1) Constraining the freedom of contract of such public entity.

8 (2) Allowing the curricula or values of a program in the state to be
9 directed, controlled, or influenced by the foreign adversaries.

10 (3) Promoting an agenda detrimental to the safety or security of
11 Louisiana, its residents, or the United States.

12 B. Prior to the execution of any cultural exchange agreement with a
13 foreign source from a foreign adversary, the substance of the agreement shall
14 be shared with a federal law enforcement agency. If the federal agency provides
15 information suggesting that such an agreement promotes an agenda detrimental
16 to the safety or security of Louisiana, the United States, or its residents, the
17 institution of higher education may not enter into the agreement.

18 C. Prior to the execution of any cultural exchange agreement with a
19 foreign source from a foreign adversary, the substance of the agreement shall
20 be shared with the Louisiana Higher Education Research Security Council. If
21 the council provides information suggesting that such an agreement promotes
22 an agenda detrimental to the safety or security of Louisiana, the United States,
23 or its residents, the institution of higher education may not enter into the
24 agreement.

25 D. Each institution of higher education shall submit the information
26 required in this Section to the Board of Regents by July first of each year.

27 E. By January thirty-first of each year, the Board of Regents shall
28 submit a report to the governor, the president of the Senate, and the speaker of
29 the House of Representatives relating to partnerships and agreements of

1 institutions of higher education made with educational institutions or other
2 institutions based in foreign adversaries. At a minimum, the report must
3 include the following information for the previous fiscal year:

4 (1) Data reflecting any grant program, agreement, partnership, or
5 contract between an institution of higher education and any college, university,
6 or entity that is based in or controlled by a foreign adversary.

7 (2) Data reflecting any office, campus, or physical location used or
8 maintained by an institution of higher education in a foreign adversary.

9 (3) The date on which any such grant program, agreement, partnership,
10 or contract reported pursuant to this Section is expected to terminate.

11 F. No student or scholar association affiliated with any institution of
12 higher education may accept any gift or grant from a foreign source of a foreign
13 adversary or enter into any contract or agreement with a foreign source of a
14 foreign adversary, or be directed or controlled by the government of a foreign
15 adversary or any agent thereof.

16 (1) Any violation of this Section shall result in the institution of higher
17 education ending any affiliation with the student or scholar association.

18 (2) For purposes of this Subsection, member dues or fees shall not be
19 considered a gift or grant from a foreign source of a foreign adversary.

20 G. The Board of Regents governing board of each institution of higher
21 education shall adopt rules and regulations, respectively, to administer this
22 Section in consultation with the Council and a third-party advisor, including
23 but not limited to an intelligence firm.

24 §1828.6. Foreign travel and gifts; prohibition

25 A. Unless requested by a federal agency, the governor, the president of
26 the Senate, or the speaker of the House of Representatives, an employee,
27 researcher, or volunteer of an institution of higher education of this state may
28 not:

29 (1) Accept transportation or lodging in a country that is a foreign

1 adversary and that is paid for by the foreign adversary or a foreign adversary
2 source because of the employee's or volunteer's position with the state or
3 political subdivision.

4 (2) Accept a gift or item of value from a person representing a foreign
5 adversary for any purpose, including to pay for travel expenses or as
6 reimbursement for the costs of attending a conference or other event in a
7 country that is a foreign adversary or that is hosted on behalf of a foreign
8 adversary or a principal of a foreign adversary.

9 B. An employee or volunteer of an institution of higher education of this
10 state shall report to the Louisiana Higher Education Security Council, in the
11 form and manner the council requires, each interaction, communication, or
12 meeting the employee, researcher, or volunteer has with a person acting on
13 behalf of a foreign adversary not later than thirty days after the date of the
14 interaction, communication, or meeting. The Louisiana Legislative Auditor
15 shall make available a report under this Subsection to the attorney general and
16 the Louisiana Department of Public Safety on request.

17 §1828.7. Research partnerships

18 A. An institution of higher education shall only enter into a new or renew
19 an existing research partnership with an academic or research institution,
20 business, or nonprofit located in a foreign adversary if the institution of higher
21 education maintains sufficient structural safeguards to protect the state
22 institution's intellectual property, the security of the state of Louisiana, and the
23 national security interests of the United States. The Louisiana Higher Education
24 Research Security Council shall only approve an institution of higher
25 education's partnership if the council determines the partnership meets the
26 safeguard requirements prescribed under this Section. The safeguard
27 requirements shall include but not limited to the following:

28 (1) Compliance with all federal requirements, including the
29 requirements of federal research sponsors and federal export control agencies,

1 including regulations regarding international traffic in arms and export
2 administration regulations, and economic and trade sanctions administered by
3 the federal office of foreign assets control.

4 (2) Annual formal institution level programs for faculty on conflicts of
5 interest and conflicts of commitment.

6 (3) An overwhelming state interest to enter into the research or academic
7 partnership.

8 (4) There are no alternative institutions to engage with for a similar
9 research or academic partnership.

10 (5) A formalized foreign visitor process and uniform visiting scholar
11 agreement.

12 B. The Louisiana Higher Education Research Security Council shall
13 have full discretion to reject or terminate any research partnership between an
14 institution of higher education and an academic or research institution located
15 in a foreign adversary at any time and for any purpose.

16 C. The Board of Regents, in consultation with the office of the governor,
17 shall create a research and cultural exchange policy which shall prioritize
18 research partnerships and academic exchange agreements with America's
19 military treaty allies, Israel and the Republic of China (Taiwan).

20 §1828.8. Foreign educational software

21 A. The Board of Regents, in conjunction with the office of technology
22 services, shall conduct a thorough review of all educational software used by
23 institutions of higher education that may be linked to foreign adversaries. The
24 Board of Regents, in conjunction with the office of technology services, shall
25 develop a plan to eliminate the usage of educational software from foreign
26 adversary countries, as defined in 15 CFR 791.4, in each of the respective
27 systems.

28 B. The Board of Regents, in conjunction with the office of technology
29 services, shall promulgate rules and regulations prohibiting the future

1 contracting with educational technology and software-providing entities
2 domiciled in, or owned by companies or other entities domiciled in, foreign
3 adversary countries as defined in 15 CFR 791.4, in each of the respective
4 systems.

5 §1828.9. Political parties and members

6 A. The managing board of each institution of higher education in this
7 state shall adopt the following policies:

8 (1) No branch, cell, subsidiary, or affiliate organization of the Chinese
9 Communist Party shall be allowed to operate on or use any property of any
10 institution of higher education in this state.

11 (2) No members of the Chinese Communist Party, People's Liberation
12 Army, any Chinese intelligence agency, or any affiliate or subsidiary thereof,
13 shall enroll in any Louisiana institution of higher education nor receive
14 employment or research opportunities in any Louisiana institution of higher
15 education.

16 B. A student, academic, or researcher, who matriculates from the
17 People's Republic of China, shall sign an affidavit to certify that the student is
18 not a member of the Chinese Communist Party, People's Liberation Army, any
19 Chinese intelligence agency, or any affiliate or subsidiary thereof.

20 §1828.10. Theft of trade secrets

21 Any theft of trade secrets or trafficking thereof from a Louisiana
22 institution of higher education on behalf of a foreign source of a foreign
23 adversary nation shall be charged as a crime under R.S. 14:67 with a penalty
24 one classification level higher than theft of equal value covered under R.S.
25 14:67. For theft of trade secrets of twenty-five thousand dollars or more, the
26 penalty shall be imprisonment at hard labor for not less than five years and not
27 more than twenty-five years.

28 §1828.11. Severability

29 If any provision of this Part, or the application of any provision to any

1 **person or circumstance, is held to be invalid, the remainder of this Part and the**
 2 **application of its provisions to any other person or circumstance shall not be**
 3 **affected thereby.**

4 Section 2. This Act shall become effective on January 1, 2027. If vetoed by the
 5 governor and subsequently approved by the legislature, this Act shall become effective on
 6 the day following such approval by the legislature or January 1, 2027, which ever is later.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 399 Engrossed

2026 Regular Session

Bass

Proposed law (R.S. 17:1828) will be referred to and may be cited as the "Research and Education Protection Act of 2026".

Proposed law (R.S. 17:1828.1) provides for the following definitions: "Academic partnership"; "Affiliate organization"; "Agreement"; "Contract"; "Council"; "Director-support organization"; "Foreign adversary"; "Foreign agent"; "Foreign government"; "Foreign instrumentality"; "Foreign source"; "Gift"; "Grant"; "Institution of higher education"; "Interest"; "Obtain or use"; "Partnership"; "Person"; "Pledge"; "Political party"; "Research partnership"; "Trade secret"; and "Traffic".

Proposed law (R.S. 17:1828.2) creates the La. Higher Education Research Security Council to promote secure academic research at institutions of higher education while mitigating the risk of foreign espionage and interference; and be composed of the following members:

- (1) The lieutenant governor, or his designee.
- (2) The attorney general, or his designee.
- (3) A representative from the Board of Regents.
- (4) One research security officer appointed by the Board of Supervisors for the University of La. System.
- (5) One research security officer appointed by the Board of Supervisors of L.S.U.
- (6) One research security officer appointed by the Board of Supervisors of Southern University.
- (7) One research security officer appointed by the Board of Supervisors of Community and Technical Colleges.
- (8) One research security officer appointed by the Board of Directors of the La. Association of Independent Colleges and Universities.
- (9) One additional research security officer appointed by each governing board of a university that oversees one or more medical schools.

- (10) Three faculty members with research experience, one designated by the chief academic officer of the L.S.U. System, one designated by the chief academic officer of the University of La. System and one designated by the chief academic officer of the Southern University System.
- (11) The chairman of the House Select Committee on Homeland Security, or his designee.
- (12) The chairman of the Senate Select Committee on Homeland Security, or his designee.
- (13) The superintendent of the Louisiana State Police, or his designee.
- (14) The chief information officer of the office of technology services, or his designee.
- (15) The lead special agent of the Federal Bureau of Investigation, New Orleans Field Office, or his designee, shall be invited as a nonvoting ex officio member.

Proposed law provides that the council shall do the following:

- (1) Develop or adopt a model research security policy for La. institutions of higher education to improve research security.
- (2) Develop, offer or otherwise provide an annual training program for institution of higher education's research security officers that includes background and academic history checks of researchers, research security and integrity tools, and software that must be used to prevent the loss of intellectual capital.
- (3) Vet and review any gift, contract or academic or research partnership to an institution of higher education from a foreign adversary source.
- (4) Subject to appropriation, engage an intelligence firm that specializes in identifying national security threats from foreign adversary sources.
- (5) Not later than Jan. 31st of each even-numbered year, the council shall prepare and submit to the governor, the attorney general's office, and the Senate and House committees on education a report on the status of research security at institutions of higher education and any associated recommendations.

Proposed law (R.S. 17:1828.3) provides that any institution of higher education that is offered any gift, contract, or academic or research partnership from a foreign adversary source or foreign adversary nation must reject the proposed gift, contract, or partnership unless certain conditions are met.

Proposed law provides that, within 30 days of receiving a proposal for the gift, contract, academic or research partnership, the college or university shall request an assessment from federal law enforcement on potential national security risks, and after receiving the assessment, it shall be submitted to the La. Higher Education Research Security Council along with the request for approval of the proposed gift, contract, academic, or research partnership. The council shall have veto authority over such academic and research partnerships with a simple majority vote of all council members.

Proposed law requires the Board of Regents to maintain a public web portal that discloses proposed gifts, contracts, or partnerships from foreign adversary sources, along with the final decision on whether to allow the institution to accept the gift.

Proposed law (R.S. 17:1828.4) provides that upon receiving a referral from an officer of an institution or sworn complaint, the attorney general must investigate an allegation of

violation; and any agent or compliance officer may request records relevant to the suspicion of a violation; an entity must provide the records within 10 days of request or later if agreed to.

Proposed law (R.S. 17:1828.5) provides that an institution may not participate in any cultural exchange agreement with a foreign source, or any entity controlled by foreign adversaries unless it addresses an overwhelmingly under-addressed state or national need and avoids the following:

- (1) Constraining the freedom of contract of such public entity.
- (2) Allowing the curricula or values of a program in the state to be directed, controlled, or influenced by the foreign adversaries.
- (3) Promoting an agenda detrimental to the safety or security of La., its residents, or the United States.

Proposed law provides that prior to any execution of a cultural exchange agreement with a foreign source, the agreement must be shared with a federal law enforcement agency and the La. Higher Education Research Security Council. If the federal agency or the council provides information that suggests the agreement is detrimental to the safety or security of La., the United States, or its residents, the institution cannot enter into the agreement.

Proposed law provides that each institution must submit information to the Board of Regents by Jan. 31st of each year and the Board of Regents must submit a report to the governor, president of the Senate, and the speaker of the House of Representatives relating to partnerships and agreements with foreign adversaries by December first of each year. Proposed law includes required information that must be included in the report from the Board of Regents.

Proposed law (R.S. 17:1828.6) provides that, unless requested by a federal agency, the governor, the president of the Senate, or the speaker of the House of Representatives, an employee, researcher, or volunteer of an institution of higher education of the state may not accept transportation or lodging in a country that is a foreign adversary or accept a gift or item of value from a person representing a foreign adversary for any purpose, including to pay for travel expenses or as reimbursement for the costs of attending a conference in a country that is a foreign adversary.

Proposed law provides that an employee or volunteer of an institution of higher education of this state must report to the La. Higher Education Security Council any interaction, communication, or meeting the employee, researcher, or volunteer has with a person acting on behalf of a foreign adversary, not later than 30 days after the date of interaction.

Proposed law (R.S. 17:1828.7) provides that an institution must only enter into a new or renew an existing research partnership with an institution, business, or nonprofit located in a foreign adversary if the institution maintains sufficient structural safeguards to protect the institution's intellectual property, the security of La., and the national security interests. The La. Higher Education Research Security Council must only approve an institution's partnership if the council determines it to meet the safeguard requirements that follow:

- (1) Compliance with all federal requirements, including the requirements of federal research sponsors and federal export control agencies, including regulations regarding international traffic in arms and export administration regulations, and economic and trade sanctions administered by the federal office of foreign assets control.
- (2) Annual formal institution level programs for faculty on conflicts of interest and conflicts of commitment.

- (3) An overwhelming state interest to enter into the research or academic partnership.
- (4) There are no alternative institutions to engage with for a similar research or academic partnership.
- (5) A formalized foreign visitor process and uniform visiting scholar agreement.

Proposed law (R.S. 17:1828.8) requires the Board of Regents in cooperation with the La. office of technology services to do all of the following:

- (1) Review of educational software used by institutions of higher education that may be linked to foreign adversaries.
- (2) Develop a plan to eliminate the usage of educational software from foreign adversary countries in each of the respective systems.
- (3) Promulgate rules that prohibit future contracting with educational software-providing entities domiciled in, or owned by companies or other entities domiciled in, foreign adversary countries.

Proposed law (R.S. 17:1828.9) provides that the managing board of each institution of higher education must adopt the following policies:

- (1) No branch, cell, subsidiary, or affiliate organization of the Chinese Communist Party shall be allowed to operate on or use any property of any institution of higher education in this state.
- (2) No members of the Chinese Communist Party, People's Liberation Army, any Chinese intelligence agency, or any affiliate or subsidiary thereof, shall enroll in any La. institution of higher education nor receive employment or research opportunities in any La. institution of higher education.

Proposed law provides that a student, academic or researcher, who matriculates from the People's Republic of China must sign an affidavit to certify that the student is not a member of the Chinese Communist Party, People's Liberation Army, and Chinese intelligence agency, or any affiliate or subsidiary thereof.

Proposed law (R.S. 17:1828.10) provides that any theft of a trade secret or trafficking thereof from an institution on behalf of a foreign source will be charged as a crime under the criminal code (R.S. 14:67) with a penalty one classification level higher than theft of equal value covered under the criminal code (R.S. 14:67). For theft of trade secrets of \$25,000 or more, the penalty will be imprisonment at hard labor for not less than 5 years and not more than 25 years.

Proposed law (R.S. 17:1828.11) provides that if any provision or application of any provision is held to be invalid, the remainder of proposed law and the application of its provisions will not be affected.

Effective on January 1, 2027.

(Adds R.S. 17:1828-1828.11)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Adds additional members to the La. Higher Education Research Security

Council.

2. Changes reporting deadlines.
3. Requires the office of technology services to assist the Bd. of Regents.
4. Removes administrative fines and civil penalties.