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**SENATE FLOOR AMENDMENTS**

2024 Regular Session

Amendments proposed by Senator Mizell to Reengrossed House Bill No. 488 by Representative Wright

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1 AMENDMENT NO. 1

2 On page 1, line 3, change "1506" to "1507"

3 AMENDMENT NO. 2

4 On page 1, line 8, after "liability;" insert "to provide relative to certain foreign-party-  
5 controlled businesses; to provide relative to duties of the attorney general; to provide for  
6 investigations; to provide for civil actions; to provide for procedures, terms, remedies,  
7 processes, and conditions;"

8 AMENDMENT NO. 3

9 On page 1, line 11, change "1506" to "1507"

10 AMENDMENT NO. 4

11 On page 3, between lines 2 and 3 insert:

12 "(10) "Interest" means an ownership interest of greater than zero percent."

13 AMENDMENT NO. 5

14 On page 3, line 3, change "(10(a))" to "(11(a))"

15 AMENDMENT NO. 6

16 On page 3, line 10, change "(11)" to "(12)"

17 AMENDMENT NO. 7

18 On page 3, between lines 11 and 12, insert:

19 "(13) "Prohibited foreign party" means any of the following:

20 (a) A citizen, resident, or agent of a country subject to the provisions of 22  
21 CFR 126.1 of the International Traffic in Arms Regulations.

22 (b) A foreign government formed within a country subject to the provisions  
23 of 22 CFR 126.1 of the International Traffic in Arms Regulations.

24 (c) A party other than an individual or government that is created or  
25 organized under the laws of a foreign government within a country subject to the  
26 provisions of 22 CFR 126.1 of the International Traffic in Arms Regulations.

27 (d) Any party other than an individual or a government that is created or  
28 organized under the laws of any state and in which a significant interest or  
29 substantial control is directly or indirectly held or is capable of being exercised by  
30 any of the following:

31 (i) An individual as provided in Subparagraph (a) of this Paragraph.

32 (ii) A foreign government as provided in Subparagraph (b) of this Paragraph.

33 (iii) A party as provided in Subparagraph (c) of this Paragraph.

34 (iv) A combination of any individual, party, or government as provided in  
35 this Paragraph.

36 (e) An Entity of Particular Concern (EPC) designated by the United States  
37 Department of State.

38 (f) An agent, trustee, or other fiduciary of a person or entity as provided in  
39 this Paragraph."

1 AMENDMENT NO. 8

2 On page 3, line 12, change "(12)" to "(14)"

3 AMENDMENT NO. 9

4 On page 3, line 17, change "(13)" to "(15)"

5 AMENDMENT NO. 10

6 On page 3, line 19, change "(14)" to "(16)"

7 AMENDMENT NO. 11

8 On page 5, after line 16, insert:

9 "§1507. Ownership of digital asset mining business by prohibited foreign-party-  
10 controlled business; prohibited

11 A.(1) No prohibited foreign party shall acquire or hold by grant, purchase,  
12 devise, descent, or otherwise any interest in a digital asset mining business in this  
13 state.

14 (2) No person shall acquire or hold a digital asset mining business as an  
15 agent, trustee, or other fiduciary of a prohibited foreign-party-controlled business.

16 B.(1) A prohibited foreign-party-controlled business in operation before  
17 August 1, 2024, shall have three hundred sixty-five calendar days from August 1,  
18 2024, for the prohibited foreign party to divest all interest in the digital asset mining  
19 business.

20 (2) If a prohibited foreign party fails to divest all interest in the digital asset  
21 mining business in accordance with Paragraph (1) of this Subsection, the attorney  
22 general may commence an action in a court of competent jurisdiction as provided in  
23 Subsection D of this Section.

24 C. Upon request of a person or upon receipt of information that leads the  
25 attorney general to believe that a violation of this Section may exist, the attorney  
26 general may conduct an investigation that includes the following:

27 (1) Receiving sworn statements.

28 (2) Issuing subpoenas to compel the testimony of witnesses.

29 (3) Issuing subpoenas duces tecum for the production of records and other  
30 documents.

31 D.(1) If as a result of an investigation, the attorney general concludes that a  
32 violation of this Section has occurred, the attorney general may order a prohibited  
33 foreign party to divest all interest in the digital asset mining business within three  
34 hundred sixty-five calendar days.

35 (2) If the prohibited foreign party fails to divest all interest in the digital asset  
36 mining business within three hundred sixty-five calendar days, the attorney general  
37 may commence an action in a court of competent jurisdiction over the digital asset  
38 mining business.

39 (3)(a) If the court finds that a violation of this Section has occurred, the court  
40 shall order the digital asset mining business to be sold through the use of executory  
41 proceedings.

42 (b) The proceeds of the sale pursuant to this Paragraph shall be disbursed to  
43 the lienholders in order of priority.

44 (c) If the assets of the digital asset mining business include immovable  
45 property, the attorney general shall promptly record a copy of the following  
46 documents in the mortgage and conveyance records:

47 (i) Upon commencement of a civil action, the notice of pendency of the  
48 action.

49 (ii) The order for the sale of the digital asset mining business.

50 (4) The attorney general may pursue other remedies authorized by law in an  
51 action brought under the provisions this Subsection including but not limited to any  
52 of the following:

1           (a) A civil penalty not to exceed one million dollars or twenty-five percent  
2 of the fair market value on the date of the assessment of the civil penalty of the  
3 prohibited foreign party's interest in the digital asset mining business for the failure  
4 to divest of all interest in the digital asset mining business within three hundred  
5 sixty-five calendar days as required by this Section.

6           (b) Court costs associated with the civil action.

7           (c) Interest at the maximum rates permitted by law.

8           (d) Reasonable attorney fees.

9           (5) In addition to the remedies provided in Paragraph (4) of this Subsection,  
10 the attorney general may pursue damages against a digital asset mining business if  
11 the digital asset mining business is held in violation of this Section by the court, is  
12 ordered to pay a civil penalty as provided in Paragraph (4) of this Subsection, and  
13 fails to pay the civil penalty imposed.

14           (6) The approval of a digital asset mining business by a local government or  
15 the receipt by a digital asset mining business of a permit or other authorization from  
16 the state to operate shall not be a defense to a cause of action brought pursuant to this  
17 Section.

18           E. Title to immovable property shall not be deemed invalid due to a violation  
19 of this Section by any former owner of the property."