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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)]

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SB 251 Reengrossed

DIGEST  
2026 Regular Session

Pressly

Proposed law enacts the "Louisiana Critical Infrastructure Protection Act of 2026".

Proposed law is construed and applied in a manner consistent with federal law and not be interpreted or enforced to prohibit, restrict, condition, or delay any transaction, agreement, activity, technology, software, service, or access that has been authorized, approved, licensed, exempted, or otherwise permitted by the United States government.

Proposed law prohibits a company or other entity constructing, repairing, operating, or otherwise having significant access to critical infrastructure from entering into an agreement relating to critical infrastructure in this state with a foreign principal from a foreign adversary country if the agreement would allow the foreign principal from a foreign adversary country to directly or remotely exercise operational authority over critical infrastructure in this state.

Proposed law prohibits a governmental entity from entering into a contract or other agreement relating to critical infrastructure in this state with a company that is a foreign principal from a foreign adversary country if the agreement would allow the foreign principal from a foreign adversary country to directly or remotely exercise operational control over critical infrastructure in this state.

Proposed law exempts certain transactions, agreements, activities, technology, software, service, or access that is conducted pursuant to and in compliance with a license, authorization, approval, exemption, or determination issued by the United States government.

Proposed law defines "critical infrastructure" to mean systems and assets, whether physical or virtual, so vital to the state or the nation that the incapacity or destruction of these systems and assets would have a debilitating impact on state or national security, state or national economic security, state or national public health, or any combination of those matters. Provides that a critical infrastructure may be publicly or privately owned, and includes but is not limited to the following:

- (a) Gas and oil production, storage, or delivery systems.
- (b) Water supply, refinement, storage, or delivery systems.
- (c) Telecommunications network.
- (d) Electrical power delivery systems.
- (e) Emergency services.

- (f) Transportation systems and services.
- (g) Personal data or otherwise classified information storage system, including cybersecurity.

Proposed law defines "cybersecurity" to mean taken to protect a computer, computer network, computer system, or other technology infrastructure against unauthorized use or access.

Proposed law defines "operational command authority" to mean the authority to direct, control, or make real time operational decisions affecting the physical functioning, safety, or emergency response of critical infrastructure.

Proposed law exempts certain telecommunications providers from proposed law.

Proposed law exempts certain electric utilities from proposed law.

Proposed law authorizes the attorney general to institute civil proceedings to enforce the provisions of proposed law, including but not limited to actions against a foreign adversary company or any other vendor, provider, distributor, or relabeler or white-labeler of a foreign adversary technology for violations of the Unfair Trade Practices and Consumer Protection Law.

Effective August 1, 2026.

(Adds R.S. 51:3081-3089)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

1. Add provision regarding construction and application of proposed law.
2. Add definition of "operational command authority".
3. Add provision exempting certain transactions, agreements, activities, technology, software, service, or access that is conducted pursuant to and in compliance with a license, authorization, approval, exemption, or determination issued by the United States government.
4. Remove requirement that companies file a certification with GOHSEP in order to access critical infrastructure.
5. Remove provision regarding powers and duties of GOHSEP.
6. Remove provision regarding prohibitions on adversary network-connected devices.
7. Add provision exempting certain telecommunications providers from proposed law.

8. Add provision exempting certain electric utilities from proposed law.
9. Remove provision creating a Foreign Adversary Technology Rip and Replacement Fund.

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Remove provisions creating the Foreign Adversary Fraud Office (FAFO) within the consumer protection division of the office of the attorney general.
2. Remove provision authorizing the FAFO to pursue other litigation strategies, investigations, and other legal activities.
3. Authorize the attorney general to institute civil proceedings to enforce the provisions of proposed law, including but not limited to actions against a foreign adversary company or any other vendor, provider, distributor, or relabeler or white-labeler of a foreign adversary technology for violations of the Unfair Trade Practices and Consumer Protection Law.
4. Make technical changes.