

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 to
8 "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.**

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

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

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

12 **§3054. Designation of country as a threat to critical infrastructure**

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

16 **(B) The governor shall consult the Senate and House of Represenattives**
17 **select committees on Homeland Security, to assess a threat to critical**
18 **infrastructure for purposes of making a designation under this Section."**