

RÉSUMÉ DIGEST

ACT 765 (SB 471)

2022 Regular Session

Milligan

New law requires any state agency or political subdivision that receives directly or indirectly any gift or grant having a value of \$50,000 or more from a foreign source to disclose the gift or grant to the division of administration within 30 days after receipt.

New law defines certain terms including a "foreign country of concern".

New law requires that the disclosure include the date and amount of the gift or grant and the country or resident or domicile of the foreign source.

New law requires any entity applying to a state agency or political subdivision for a grant or proposing a contract having a value of \$100,000 to disclose the following information:

- (1) Any current or prior interest in a contract received from a foreign country of concern having a value of \$50,000 or more and whether the interest existed or was in force at any time during the previous five years.
- (2) Any grant or gift received from a foreign country of concern having a value of \$50,000 or more and whether the grant or gift was received or in force at anytime during the previous five years.

New law requires that the disclosure document include the following:

- (1) The name and mailing address of the disclosing entity.
- (2) The amount of the contract, grant, or gift or the value of the interest in the contract, grant, or gift disclosed.
- (3) The applicable foreign country of concern.
- (4) The date the contract was executed and the date of termination of the contract or interest, if applicable.
- (5) The date of receipt of the grant or gift.
- (6) The name of the agent or controlled entity that is the source or interest holder.

New law authorizes the division of administration to publish the disclosure information online and if published online it is considered disclosed to every state agency and political subdivision.

New law requires that when a disclosure is filed and during the term of the grant or contract, the entity is to revise it within 30 days after the contract execution or after receipt of a grant or gift from a foreign country of concern or within 30 days after any interest is acquired in the entity by a foreign country of concern.

New law requires any entity identified as subject to any governmental sanctions, embargoes, or other restrictions, to be included on the online procurement system. New law provides that purchasers using the online procurement system are to have easy access to all disclosures made by vendors.

New law requires the division of administration to investigate allegations of violations of new law once a referral is made by an agency or political subdivision compliance officer.

New law authorizes the division of administration to request relevant records which are to be provided within 30 days after requested or at a later time agreed to by the division of administration.

New law authorizes adoption of necessary rules by the division, which rules may identify the federal agencies to be consulted and the procedure for notifying a vendor of the disclosure requirements under new law.

Effective January 1, 2023.

(Adds R.S. 38:2191.1)