

2023 Regular Session

SENATE BILL NO. 91

BY SENATORS MILLIGAN AND CATHEY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

IMMOVABLE PROPERTY. Provides for prohibition of immovable property transactions by certain foreign actors. (8/1/23)

1 AN ACT

2 To enact R.S. 29:28.2, relative to military, naval, and veterans' affairs; to provide relative

3 to foreign actors' interests in immovable property; to provide for terms and

4 definitions; to provide with respect to certain foreign actors; to provide relative to

5 acquisition of title to immovable property located near military or other sensitive

6 property; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 29:28.2 is hereby enacted to read as follows:

9 **§28.2. Prohibited foreign actors; immovable property interests**

10 **A. For the purposes of this Section, the following terms shall have the**

11 **following meanings:**

12 **(1) "Foreign adversary" means a governmental entity of a foreign**

13 **adversary as identified by the United States Secretary of Commerce or the**

14 **Secretary's designee and published in 15 CFR 7.4, as amended or renumbered.**

15 **(2) "Prohibited foreign actor" means any of the following:**

16 **(a) A corporation or other entity that is any of the following:**

17 **(i) Headquartered in a country identified as a foreign adversary.**

1                    (ii) Held or controlled, either directly or indirectly, by a government of  
2                    a foreign adversary.

3                    (iii) Owned by or the majority of stock or other ownership interest is  
4                    held or controlled by any person who is a citizen of a foreign adversary, unless  
5                    that person is a legal permanent resident of the United States.

6                    (b) A corporation or other entity that is owned by or the majority of  
7                    stock or other ownership interest of which is held or controlled by a corporation  
8                    or entity described by Paragraph (2) of this Subsection.

9                    (c) Any person who is a citizen of a foreign adversary, unless that person  
10                    is a legal permanent resident of the United States.

11                    B. Notwithstanding any other law to the contrary, no prohibited foreign  
12                    actor shall purchase, lease, possess, exercise any control, or hold any interest in  
13                    immovable property located within fifty miles of any federal or state military  
14                    land, reservation, camp, post, base, installation, armory, or training area; any  
15                    weather station operated by the armed forces of the United States; or any  
16                    facility operated by the Civil Air Patrol.

17                    C. Any contract, agreement, or other transfer of interest in violation of  
18                    this Section shall be null and void. The attorney general may bring such  
19                    injunctive, declaratory, or other actions as are necessary to enforce the  
20                    provisions of this Section.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Tyler S. McCloud.

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SB 91 Original

DIGEST  
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Milligan

Proposed law prohibits foreign actors, tied with identified foreign adversaries, from owning, purchasing, leasing, possessing, exercising any control, or holding any interest in immovable property located within 50 miles of any federal or state military land, facilities, or weather stations, or any facility operated by the Civil Air Patrol.

Proposed law provides for definitions.

Effective August 1, 2023.

(Adds R.S. 29:28.2)