

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)

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AN ACT

To enact R.S. 29:28.2, relative to military, naval, and veterans' affairs; to provide relative to foreign actors' interests in immovable property; to provide for terms and definitions; to provide with respect to certain foreign actors; to provide relative to acquisition of title to immovable property located near military or other sensitive property; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

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

§28.2. Prohibited foreign actors; immovable property interests

A. For the purposes of this Section, the following terms shall have the following meanings:

(1) "Foreign adversary" means a governmental entity of a foreign adversary as identified by the United States Secretary of Commerce or the Secretary's designee and published in 15 CFR 7.4, as amended or renumbered.

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

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

(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.

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

SB 91 Original

DIGEST
2023 Regular Session

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)