

2025 Regular Session

HOUSE BILL NO. 125

BY REPRESENTATIVE HORTON

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

TECHNOLOGY: Provides for the protection, storage, and access of genomic information

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AN ACT

To enact Chapter 59-B of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3181 through 3185, relative to protecting an individual's genomic information from certain foreign entities; to provide for definitions; to prohibit the use of certain genetic sequencers and software; to limit storage locations and remote access to genomic information; to provide for penalties; to provide for fines and damages; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 59-B of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:3181 through 3185, is hereby enacted to read as follows:

CHAPTER 59-B. GENOMIC SECURITY

§3181. Short title; purpose; legislative intent

A. This Chapter may be cited as the "Louisiana Genomic Security Act of 2025".

B.(1) The purpose of this Chapter is to ensure that blacklisted adversary military companies do not gain access to American genetic information.

(2) It is declared the policy of this state to oppose the collection and analysis of genetic information for use by the military and surveillance state of the People's Republic of China and other foreign adversaries. It is furthermore declared the

1 policy of this state to support sanctions imposed by the United States Department of
2 Commerce and the United States Department of Defense upon companies engaged
3 in the collection and analysis of genetic information for use by the military and
4 surveillance state of the People's Republic of China and other foreign adversaries.

5 §3182. Definitions

6 As used in this Chapter, the following definitions apply:

7 (1) "Company" means a for-profit sole proprietorship, organization,
8 association, corporation, partnership, joint venture, limited partnership, limited
9 liability partnership, or limited liability company, including a wholly owned
10 subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities
11 or business associations that exists to make a profit; or a nonprofit organization.

12 (2) "Domicile" means any of the following:

13 (a) The country where a company is registered and headquartered.

14 (b) The country where a company's affairs are primarily completed.

15 (c) The country where a majority ownership of the company is held.

16 (3) "Foreign adversary" means any of the following nations:

17 (a) The People's Republic of China including the Hong Kong Special
18 Administrative Region.

19 (b) Republic of Cuba.

20 (c) Islamic Republic of Iran.

21 (d) Democratic People's Republic of Korea.

22 (e) Russian Federation.

23 (4) "Genetic sequencer" means a device or platform used to conduct genetic
24 sequencing, resequencing, isolation, or other genetic research.

25 (5) "Genetic sequencing" means any method to determine the identity and
26 order of nucleotide bases in the human genome.

27 (6) "Genomic research facility" means a facility that conducts research on,
28 with, or relating to genetic sequencing or the human genome.

1 (7) "Human genome" means the complete set of deoxyribonucleic acid
2 instructions found within a human cell encompassing all the genetic information
3 needed for an individual to develop and function.

4 (8) "Medical facility" means either of the following:

5 (a) A facility for the delivery of healthcare services that receives state
6 monies including interagency pass-through appropriations from the federal
7 government.

8 (b) A facility licensed or certified by this state to provide healthcare services.

9 (9) "Operational and research software" means a computer program used for
10 the operation, control, analysis, or other necessary functions of genetic sequencing
11 or genetic sequencers.

12 §3183. Prohibition on certain genetic sequencers and genetic sequencing
13 technologies

14 A. A medical facility or genomic research facility shall not utilize genetic
15 sequencers or operational or research software produced in or by any of the
16 following:

17 (1) A foreign adversary.

18 (2) A state-owned company of a foreign adversary.

19 (3) A company domiciled in a foreign adversary.

20 (4) An owned or controlled subsidiary or affiliate of a company domiciled
21 in a foreign adversary.

22 B. A medical facility or genomic research facility shall replace any genetic
23 sequencers and operational or research software prohibited by Subsection A of this
24 Section with equipment that is not prohibited by this Section.

25 §3184. Requirements for the storage of genetic information

26 A. A medical facility, genomic research facility, or company shall restrict
27 the storage of genetic sequencing data to geographic locations outside of a foreign
28 adversary country. Remote access to data storage, other than open data, from a
29 foreign adversary country is prohibited.

1 B. A medical facility, genomic research facility, or company storing genetic
2 sequencing data, including through contracts with third-party data storage
3 companies, shall ensure the security of genetic sequencing data by using reasonable
4 encryption methods, restrictions on access, and other cybersecurity best practices.

5 §3185. Certification of compliance; penalties; powers of the attorney general

6 A. Each medical facility subject to the provisions of this Chapter shall, in
7 writing by an attorney, certify by December thirty-first, and annually thereafter, to
8 the attorney general that the facility is compliant with the provisions of this Chapter.

9 B.(1) A medical facility or genomic research facility that violates the
10 provisions of this Chapter by using prohibited genetic sequencers or operational or
11 research software shall be fined ten thousand dollars per violation. A violation
12 means each unique instance of an individual's genome having undergone genetic
13 sequencing or analysis using a prohibited genetic sequencer or a prohibited
14 operational or research software.

15 (2) A medical facility, genomic research facility, or company that knowingly
16 violates the provisions of this Chapter by storing genetic sequencing data in a foreign
17 adversary country shall be fined ten thousand dollars per violation.

18 C.(1) An individual is entitled to recover damages of not less than five
19 thousand dollars for each unique use of his genomic information by a medical
20 facility or genomic research facility if the medical facility or genomic research
21 facility is found to have improperly sequenced his genomic information in violation
22 of R.S. 51:3183.

23 (2) An individual is entitled to recover damages of not less than five
24 thousand dollars for each unique use of his genomic information from a medical
25 facility, or company if the medical facility or company is found to have improperly
26 stored his genomic information in violation of R.S. 51:3184.

27 D. The attorney general has the authority to investigate allegations of
28 violations of this Chapter.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

HB 125 Original

2025 Regular Session

Horton

Abstract: Provides for the manner of collection, storage, and access of genomic information to protect from unauthorized access by foreign adversaries.

Proposed law provides for definitions.

Proposed law identifies foreign adversaries as the People's Republic of China, the Republic of Cuba, the Islamic Republic of Iran, the Democratic People's Republic of Korea, and the Russian Federation.

Proposed law prohibits medical and research facilities from sequencing genetic data with equipment and software produced by companies owned, located in, or registered with certain foreign adversaries.

Proposed law prohibits medical facilities, genomic research facilities, and companies from storing genetic sequencing data in a foreign adversary country and to limit remote access inside of a foreign adversary country.

Proposed law tasks medical facilities, genomic research facilities, and companies with ensuring that reasonable and proper cybersecurity measures are implemented to protect genetic sequencing data.

Proposed law requires entities charged with protecting genomic information by proposed law to certify to the attorney general compliance with proposed law.

Proposed law provides that an entity that violates the requirements of proposed law is to be fined \$10,000.

Proposed law provides that an individual whose genomic information was collected or stored in violation of proposed law is entitled to statutory damages of not less than \$5,000 per each unique use of his genomic information from the entity that violated proposed law.

Proposed law states that the attorney general has the authority to investigate allegations of violations of proposed law.

(Adds R.S. 51:3181-3185)