

2025 Regular Session

SENATE BILL NO. 229

BY SENATOR MIGUEZ

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

INTERGOVERN RELATIONS. Provides for for function of government. (2/3-CA7s2.1(A))
(8/1/25)

1 AN ACT

2 To enact Chapter 69 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised

3 of R.S. 51:3291 through 3297, relative to state foreign agents and government

4 functions; to provide relative to qualifications for economic development incentives;

5 to provide relative to reporting requirements for certain institutions; to provide for

6 solar energy projects; to provide for registration of foreign agents; to provide for

7 duties of the attorney general; to provide relative to the purchase of goods from

8 certain countries; to provide for terms, conditions, procedures, enforcement, and

9 definitions; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Chapter 69 of Title 51 of the Louisiana Revised Statutes of 1950,
12 comprised of R.S. 51:3291 through 3297, is hereby enacted to read as follows:

13 **CHAPTER 69. TRANSPARENCY, INVESTING, AND REPORTING**

14 **§3291. Short title**

15 **This Chapter may be cited as the "Louisiana First Transparency,**
16 **Investing, and Reporting Act of 2025".**

17 **§3292. Definitions**

1 As used in this Chapter, the following terms have the following
2 meanings:

3 (1) "Affiliate organization" means any entity under the direct or indirect
4 control of, or established for the benefit of, an organization required to report
5 pursuant to this Chapter, including a direct support organization.

6 (2) "Contract" means any agreement for the acquisition by purchase,
7 lease, or barter of property or services by a foreign source for the direct benefit
8 or use of any of the parties, and any purchase, lease, or barter of property or
9 services from a foreign adversary.

10 (3) "Economic development incentive" means any tax credit, tax
11 deduction, grant, or loan offered on a conditional basis by the state of Louisiana
12 or any political subdivision of the state to any corporation doing business in this
13 state.

14 (4) "Foreign adversary" means any foreign government or foreign non-
15 government person determined by the United States secretary of commerce to
16 have engaged in a long-term pattern or serious instances of conduct
17 significantly adverse to the national security of the United States or security and
18 safety of citizens of the United States.

19 (5) "Foreign agent" means any person, regardless of citizenship or
20 residence status, who acts on behalf of a foreign government, foreign
21 corporation, or foreign educational institution and who does any of the
22 following:

23 (a) Directly or indirectly advocates for or against public policy matters.

24 (b) Directly or indirectly advocates for, or otherwise participates in, the
25 election or non-election of a candidate for public office, nomination, or
26 appointment to a government position.

27 (c) Seeks to establish or sever formal relationships between any public
28 entity in this state and a foreign government, foreign corporation, or foreign
29 educational institution.

1 **(6) "Foreign corporation" means any for-profit organization, not-for-**
2 **profit organization, charitable institution, association, or nongovernmental**
3 **organization incorporated, chartered, domiciled, funded by, or controlled by**
4 **individuals or entities located outside of the United States.**

5 **(7) "Foreign education or research institution" means any research or**
6 **educational institution or entity located outside the boundaries of the United**
7 **States.**

8 **(8) "Foreign government" means a government other than the federal**
9 **government of the United States or the government of any state, political**
10 **subdivision of a state, territory, federally recognized Indian tribe, or possession**
11 **of the United States.**

12 **(9) "Foreign source means any of the following:**

13 **(a) A foreign government or an agency of a foreign government.**

14 **(b) A legal entity, governmental or otherwise, created solely under the**
15 **laws of a foreign nation or group of nations.**

16 **(c) An individual who is not a citizen of the United States or of a territory**
17 **or protectorate of the United States.**

18 **(d) An agent, including a subsidiary or an affiliate of a foreign legal**
19 **entity, acting on behalf of any foreign source defined in this Section.**

20 **(10) "Gift" means any contract, gift, grant, endowment, award,**
21 **scholarship, or donation of money or property of any kind, or any combination**
22 **thereof, including a conditional or an unconditional pledge of a contract, gift,**
23 **grant, endowment, award, scholarship, or donation. The term includes but is**
24 **limited to tuition payments made on behalf of an individual student by a foreign**
25 **source. For purposes of this Paragraph, "pledge" means a promise, agreement,**
26 **or an expressed intention to give a thing of value.**

27 **(11) "Post-secondary education institution" or "institution" means a**
28 **college or university, a nonpublic post secondary institution, or any other entity**
29 **offering a program of post secondary education that has a physical presence in**

1 this state and is required to report foreign gifts or contracts pursuant to 20
2 U.S.C. 1011(f) or an affiliate or partner organization of any such college,
3 university, institution, or school.

4 (12) "Public policy matter" means any legislation, law, pending
5 regulation, regulation, memorandum of understanding, settlement agreement,
6 services agreement, request for proposal, contract, or lawsuit involving the state
7 or a political subdivision of the state or public education institution in this state.

8 (13) "Public utility project" means any electric power generation facility
9 built by a public, municipal, or private utility for connection to the power grid
10 and requiring the issuance of any permit by the state or a political subdivision
11 of the state for its construction or operation.

12 (14) "Renewable energy project" means any solar powered electric
13 power generation project built for individuals, farm, corporate, or nonprofit use
14 and not connected to the power grid for electrical distribution.

15 §3293. State foreign agent registration requirements.

16 A. Any individual present in this state who represents or transacts
17 business on behalf of a foreign government, foreign corporation, or foreign
18 educational institution while interacting with any official or employee of the
19 state of Louisiana, any political subdivision of this state, or any public education
20 institution located within this state, shall register with the Department of State
21 as a foreign agent.

22 B. The registration disclosing an individual as a foreign agent shall, at
23 minimum, include the following information:

24 (1) The full legal name of the individual as well as any names or aliases
25 used by the individual.

26 (2) The legal or residential address of the individual, the business address
27 of the individual, as well as the address of any residence used by the individual
28 while operating in this state if different from their legal, residential, or business
29 address.

1 **(3) Copies of all financial transactions, contracts, and agreements with**
2 **the represented foreign government, foreign corporation, or foreign educational**
3 **institution.**

4 **(4) The identity of the foreign government, foreign corporation, or**
5 **foreign educational institution the individual represents whether or not the**
6 **individual is compensated financially for his work.**

7 **(5) A signed statement by the individual acknowledging that he is**
8 **registered as a foreign agent on behalf of a nation hostile to the interests of the**
9 **United States, if the foreign government, foreign corporation, or foreign**
10 **educational institution represented by the individual is the People's Republic of**
11 **China, the Russian Federation, the Islamic Republic of Iran, the Democratic**
12 **People's Republic of Korea, the Republic of Cuba, or the Venezuelan regime or**
13 **the foreign government or foreign educational institution is headquartered or**
14 **domiciled or located within those nations.**

15 **C. On a monthly basis for as long as an individual is registered as a**
16 **foreign agent, he shall file a report with the office of the secretary of state**
17 **consisting of the following information:**

18 **(1) The identity of and the frequency the individual met with any**
19 **government employee, official or elected office holder of this state or any**
20 **political subdivision or public education institution in this state.**

21 **(2) Any funds expended on the meeting.**

22 **(3) Any educational efforts on any public policy matter or advocacy**
23 **efforts undertaken for or against a public policy matter.**

24 **(4) Any contributions to a candidate for public office or to a political**
25 **party, or efforts to oppose such candidates or political parties.**

26 **(5) Any funds, gifts, or nonmonetary compensation received by the**
27 **individual while serving as a foreign agent.**

28 **D. The secretary of state shall make public on its website the reports filed**
29 **by any foreign agent operating within this state.**

1 E. No person is required to register as a foreign agent in the following
2 instances:

3 (1) The person is an official of, or an employee of, a foreign government
4 and acting on official business coordinated through an embassy or consulate of
5 the foreign government for the purpose of diplomatic meetings.

6 (2) The scope of work conducted by the person is entirely confined to
7 private business transactions to which the government of this state, any political
8 subdivision of this state, or public education institution within this state is not
9 a party and the scope of work does not involve public policy matters.

10 (3) The person is representing a registered foreign agent in any civil or
11 criminal legal matter.

12 F. Any individual subject to registering as a foreign agent in accordance
13 with this Chapter and who fails to do so within five business days shall be fined
14 not less than twenty-five thousand dollars for each violation. Any individual
15 who is more than ten business days late in filing the required monthly report
16 under this Section shall be fined not less than fifteen thousand dollars for each
17 late or missing report.

18 G. Any individual who is found to have falsified or knowingly filed
19 incomplete or inaccurate information in any report as required by this Section
20 shall be fined not less than one hundred thousand dollars.

21 H. The attorney general and any district attorney shall have the
22 authority to prosecute individuals in violation of this Section.

23 I. The secretary of state shall establish a whistleblower hotline that
24 allows individuals with information about any violation of this Section to report
25 the violation without being identified to the public or the individual being
26 reported. Any information collected from a whistleblower shall be shared with
27 the Department of Justice and the district attorney for the parish in which the
28 individual alleged to have violated this Section resides. The identity of the
29 whistleblower shall be shared with the Department of Justice and the relevant

1 district attorney that is prosecuting the individual.

2 J. The attorney general may choose to prosecute a person who violates
3 the provision of this Section, or refer the matter to the district attorney of the
4 parish in which the person resides.

5 K. If a successful conviction for a violation of this Section occurs as the
6 result of a whistleblower's actions, the whistleblower shall receive a
7 compensation in an amount equal to fifty percent of the total fines resulting
8 from the conviction.

9 **§3294. Economic development incentives; disqualification**

10 A. Any corporation doing business in this state shall be disqualified from
11 receiving economic development incentives after August 1, 2025, if the
12 corporation is a foreign corporation from one of the countries specified in R.S.
13 51:3292 or if an individual, government, or corporation from one of the
14 countries listed in R.S. 51:3292 and has a five percent or greater ownership
15 stake in the corporation even if it is incorporated, chartered, or domiciled in the
16 United States or some other nation.

17 B. The requirements of this Section shall apply to any agreement entered
18 into or incentive awarded or distributed before August 1, 2025. The provisions
19 of this Section shall not apply to any agreement entered into prior to August 1,
20 2025, and shall not apply to any incentives distributed pursuant to those
21 agreements.

22 **§3295. Requirements for solar energy projects; fines**

23 A. Any public utility project involving solar power in this state shall only
24 receive approval for development, construction, and operation from any
25 relevant state agencies or local zoning boards if that project specifies that it will
26 use solar panels made in the United States.

27 B. To be eligible for any state or local grants, loans, or funds, a
28 renewable energy project shall only use solar panels made in the United States.
29 If such project fails to exclusively use solar panels made in the United States, it

1 shall not receive the support of any public monies.

2 C. Nothing in this Section shall be construed to require any agency or
3 zoning board or commission to create additional permits, nor does it expand the
4 scope of any current regulatory power beyond the requirement that an
5 applicant for a permit, grant, or loan must certify that the project exclusively
6 uses solar panels made in the United States.

7 D. A renewable energy project that violates this Section shall be required
8 to immediately repay to the state or local government any grant, loan, or funds
9 received from the project. The monies collected shall be deposited into the same
10 account from which they were originally withdrawn for distribution to the
11 project.

12 §3296. Foreign funding disclosure in higher education; reporting requirements;
13 penalties

14 A. Each institution shall report any gift received directly or indirectly
15 from a foreign source with a value of fifty thousand dollars or more. The report
16 shall be submitted annually by September first for gifts made between August
17 first and July thirty-first of the immediately preceding academic year. The
18 institution shall include in its report gifts received by all affiliate organizations
19 of the institution.

20 B. If a foreign source provides more than one gift directly or indirectly
21 to an institution and its affiliate organizations in a single calendar year and the
22 total value of all gifts is fifty thousand dollars or more, then all gifts received
23 from the foreign source shall be reported. For the purpose of this Section, a gift
24 received from a foreign source through an intermediary shall be considered an
25 indirect gift to the institution.

26 C. The report required by this Section shall be made to the institution's
27 board of supervisors, trustees, or other governing boards. Unless already
28 reported by the institution's board of supervisors, an annual summary of the
29 gifts shall be filed with the Board of Regents for any institution or affiliate

1 organization of the institution.

2 D. Reports of gifts subject to the requirements of this Section shall
3 include the following information, unless the information is exempt from
4 disclosure as provided by law or otherwise prohibited or deemed confidential
5 pursuant to federal or state law:

6 (1) The amount of the gift.

7 (2) The date the gift was received.

8 (3) The commencement and termination dates of the contract, if the gift
9 is a contract.

10 (4) The name of the foreign source and, if not a foreign government, the
11 country of citizenship, if known, and the country of principal residence or
12 domicile of the foreign source, except the names of payers of tuition who not
13 corporate entities that provide tuition assistance for individual students.

14 (5) The purpose of the gift.

15 E. The report shall be submitted in a digital spreadsheet with a
16 searchable or sortable format.

17 F. An institution shall submit a copy of any gift agreement between the
18 foreign source and the institution, signed by the foreign source and the chief
19 administrative officer of the institution, or their respective designees. The
20 agreement shall include a detailed description of the purpose for which the gift
21 is to be used by the institution, the identification of the person whom the gift is
22 explicitly intended to benefit, and any applicable conditions, requirements,
23 restitutions, or terms made a part of the gift regarding the control of
24 curriculum, faculty, student admissions, student fees, or contingencies placed
25 upon the institution to take a specific public position or to award an honorary
26 degree. If an agreement contains information protected from disclosure, an
27 abstract and redacted copy of the disclosure containing information that is not
28 protected shall be submitted in lieu of a copy of the agreement.

29 G. The internal auditor of the Board of Regents, or an authorized

1 designee, shall inspect or audit a random sample of at least ten percent of
2 institutions bi-annually, including institutions that did not submit any disclosure
3 report required by this Section, to determine the institution's compliance with
4 the requirements of this Section.

5 H. Upon request by the governor, the president of the Senate, or the
6 speaker of the House of Representatives, the internal auditor of the Board of
7 Regents shall inspect or audit a gift or gift agreement.

8 I. A disclosure report required by this Section is a public record open to
9 inspection. The Department of Education shall make disclosure reports
10 available on its website in a digital spreadsheet format.

11 J. In the absence of enforcement by the Board of Governors or the
12 Department of Education, as applicable, the attorney general may bring a civil
13 action to enforce this Section. If successful, the attorney general is entitled to
14 reasonable attorney fees.

15 §3297. Purchase of goods prohibited; definitions

16 A. As used in this Section, the following terms shall have the following
17 meanings:

18 (1) "Drone" means any unmanned vehicle that flies, traverses across the
19 surface of terrain, water, or under the surface of any terrain or water, and is
20 controlled remotely by an operator via a datalink.

21 (2) "Computer hardware" means any device that stores, processes, or
22 transmits data in an electronic format.

23 B. Neither the state of Louisiana nor any political subdivision thereof
24 shall, after July 1, 2025, purchase, acquire, lease, or accept as a gift or loan any
25 drone, computer hardware, network router, server, or network switch
26 manufactured by a company headquartered, located in, or domiciled in the
27 People's Republic of China or a company or fund headquartered, located in, or
28 domiciled in the People's Republic of China that has a five percent or greater
29 equity ownership therein.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 229 Original 2025 Regular Session Miguez

Proposed law creates the "La. First Transparency, Investing, and Reporting Act of 2025".

Proposed law provides for terms and definitions.

Proposed law requires an individual who is present in this state, representing or transacting business on behalf of a foreign government, corporation, or educational institution while interacting with any official, state employee, or public institution to register as a foreign agent with the secretary of state.

Proposed law requires a foreign agent to disclose certain information as part of his registration, including his legal name and aliases used and the identity of the foreign government, corporation, or educational institution he represents.

Proposed law requires an individual registered as a foreign agent, to file a monthly report with the Dept. of State consisting of the following:

- (1) The identity and frequency of meeting with any government employee, official, elected office holder, political subdivision, or public education institution of this state.
- (2) Any funds expended on the meetings.
- (3) Any education or advocacy efforts on public policy.
- (4) Contributions to or efforts to oppose a candidate for public office or to a political party.
- (5) Any funds, gifts, or nonmonetary compensation received by the individual while serving as a foreign agent.

Proposed law requires the secretary of state to make public on its website the reports filed by any foreign agent operating in this state.

Proposed law provides for exceptions to the registration requirement of a foreign agent.

Proposed law provides that an individual who fail to register as a foreign agent within five business days shall be fined at least \$25,000 per violation. Provides that an individual who is more than ten days late filing his monthly report shall be fined at least \$15,000 for each late or missing report. Provides that an individual who files a falsified report shall be fined \$100,000.

Proposed law allows the attorney general or the district attorney to prosecute an individual who violates any filing provision of proposed law.

Proposed law requires the secretary of state to establish a whistleblower hotline. Allows the attorney general to choose to prosecute an individual that is in violation of proposed law or allow the district attorney in the parish in which the individual resides to prosecute the individual.

Proposed law disqualifies any corporation doing business in this state from receiving economic development incentives if the corporation is a foreign corporation from designate countries or in an individual government or corporation from one of the countries has a 5% or greater ownership stake in the corporation, whether or not the corporation is domiciled in the United States.

Proposed law provides that public utility projects involving solar power shall only receive approval for development, construction, and operation if the project specifies that it will use solar panels made in the United States.

Proposed law provides that a renewable energy project shall only use solar panels made in the United States to be eligible for local grants, loans, or funds.

Proposed law requires a renewable energy project to repay to the state or local government, involved in any grant, loan or funds received from the project, plus a penalty of 50% of total grant, loan or funds received, for violating proposed law.

Proposed law requires an institution to report annually, any gift received directly or indirectly from a foreign source with a value of \$50,000 or more. Provides that all gifts received from a foreign source in excess of \$50,000 be reported.

Proposed law provides that a report required under proposed law shall be made to the institution's board of supervisors, trustees, or other governing boards, unless already reported by the institution's board of supervisors. Provides that an annual summary of the gifts shall be filed with the Board of Regents for any institution or affiliate organization of the institution.

Proposed law requires reports of gifts to include certain information.

Proposed law requires an institution to submit a copy of any gift agreement between the foreign source and institution, which includes a description of the purpose of gift, the identification of the person whom the gift is intended to benefit, and any applicable conditions, requirements, restitutions, or terms made a part of the gift regarding the control of curriculum, faculty, student admissions, student fees, or contingencies placed upon the institution.

Proposed law requires the internal auditor of the Board of Regents to inspect or audit a random sample of at least 10% of institutions bi-annually. Further requires the internal auditor to inspect or audit a gift or gift agreements, upon request by the governor, the president of the Senate or the speaker of the House.

Proposed law provides that all disclosures are considered a public record.

Proposed law allows the attorney general to bring a civil action and receive reasonable attorney fees to enforce proposed law.

Proposed law defines "drone" and "computer hardware".

Proposed law prohibits the state and political subdivision from purchasing, acquiring, leasing, or accepting as a gift or loan any drone or computer hardware from China.

Effective August 1, 2025.

(Adds R.S. 51:3291-3297)